

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.14705 of 2022

Akshaya Kumar Ray

....

Petitioner

Mr. A.K. Behera, Advocate

-versus-

State of Odisha

....

Opp. Party

Mr. Debasis Biswal, ASC

CORAM:

JUSTICE CHITTARANJAN DASH

ORDER

21.12.2022

Order No.

02.

1. Heard learned counsel for the Petitioner and the State.
2. This is an application for bail U/s.438 Cr.P.C. filed by the Petitioner in apprehension of arrest for his alleged involvement in the offences U/s.420/465/468 IPC.
3. The order passed by this Court on 1st December, 2022, it is submitted by learned counsel for the State that the matter regarding the forged P.G. certificate submitted by the Petitioner at the time of entry in service was scrutinized by the Controller of Examination of University and it was found that the certificate is fake.
4. Be that as it may, the Petitioner had continued for a considerable period as Lecturer. In the peculiarity of the circumstances, this Court while not inclined to grant anticipatory bail, the Petitioner is at liberty to surrender before the learned S.D.J.M., Jajpur in

Bariramchandrapur P.S. Case No.286 of 2022 corresponding to C.T. Case No.2055 of 2022 within three weeks' hence and moves for bail. In such event the learned court in seisin over the matter shall consider the bail application of the Petitioner in the first hour of the day, strictly on the basis of the materials available on record in its own merit.

5. In case of rejection of the bail application by the learned court, the Petitioner may move for bail before the higher forum in the second hour of the same day. In that event, the higher forum shall consider and dispose of the bail application of the Petitioner on the same day, if there be no legal impediment on its own merit strictly on the basis of the material available on record. Case diary be made available to the learned courts below as soon as possible to facilitate disposal of the bail application of the Petitioner on the same day.

6. The ABLAPL is disposed of.

(Chittaranjan Dash)
Judge