

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.14841 of 2022

Raju Mallik

....

Petitioner

Mr. B.S. Panigrahi, Advocate

-versus-

State of Odisha & another

....

Opposite Party

Mr. M.K. Mohanty, A.S.C.

CORAM:

JUSTICE CHITTARANJAN DASH

ORDER

06.12.2022

Order No.

01.

1. Heard learned counsels for the Petitioner and the State.
2. By means of this application, the Petitioner seeks grant of bail U/s.438 Cr.P.C. in apprehension of arrest for his alleged involvement in the offences U/s. 294/354-D/506, I.P.C., in connection with Binjharpur P.S. Case No.171 of 2019 corresponding to C.T. Case No.848 of 2019 pending in the court of learned S.D.J.M., Jajpur.
3. It is submitted by learned counsel for the Petitioner that the allegations made in the F.I.R. is based on falsity, baseless and far from truth. According to the learned counsel, in the meantime the victim girl has already been married and residing in her in-law's house peacefully, and the present Petitioner is apprehending arrest pursuant to the F.I.R. filed at the instance of the mother of the victim girl, and as such, the Petitioner seeks for pre-arrest bail.

4. Learned counsel for the State on the other hand submits that the F.I.R. is of the year 2019, whereas the Petitioner seeks for anticipatory bail after lapse of about three years, and as such the Petitioner does not deserve pre-arrest bail.

5. In view of the aforesaid submissions of the parties and keeping in view the fact that the Petitioner has earlier been released on bail, whereas he has resorted to the activities which are violative of the conditions imposed in the earlier bail order, as is suggestive from the contents of the F.I.R. lodged by the mother of the victim girl, considering such facts and circumstances of the case, this Court is not inclined to admit the Petitioner to anticipatory bail. Accordingly, the prayer for pre-arrest bail is rejected, and the ABLAPL is dismissed.

(*Chittaranjan Dash*)
Judge

S.K. Parida