

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No. 15133 of 2022

Nabin Bihari Singh

....

Petitioner

Mr. A. K. Mishra, Advocate

-versus-

State of Odisha

....

Opp. Party

Mr. M. K. Mohanty, ASC

**CORAM:
JUSTICE CHITTARANJAN DASH**

**ORDER
16.12.2022**

Order No.

- 03.
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. 408/34 of IPC.
 3. Learned counsel for the Petitioner submits for grant of a transit bail as against the application for anticipatory bail.
 4. Learned counsel for the State, on the contrary, opposed the contentions raised by learned counsel for the Petitioner submitting that such transit bail cannot be granted when this court lacks jurisdiction.
 5. Ordinarily, a transit bail is intended to protect the detention of the accused during the transit in order to reach the competent court from the place he apprehends to be arrested. In the instant case,

there is absolutely no mention in the application if the Petitioner has any intention to reach the competent Court and/or to appear before the investigating agency in connection with the Civil lines P.S Case No. 444 of 2022 corresponding to G.R. Case No. 423 of 2022 pending in the court of learned S.D.J.M., Raipur. There is also nothing before this court to deduce an existence of apprehension pursuant to issuance of warrant and/or summon etc. Absence of any such averments in the application deters this Court to grant the transit bail in blanket. Consequently, this Court is not in a position to pass a direction and hence decline to consider the application. However, in case, the Petitioner desires to proceed to the concerned Court or to appear before the investigative agency or the court having jurisdiction seeking anticipatory bail as discussed above, may file fresh application.

6. With the aforesaid observation, the ABLAPL stands disposed of.

(Chittaranjan Dash)
Judge

AK Pradhan