

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.15702 of 2022

Moiuddin Khan

.... ***Petitioner***
Mr. S.R. Mulia, Advocate

-versus-

State of Odisha

.... ***Opp. Party***
Mr. P.C. Das, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

20.12.2022

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the petitioner and learned Additional Standing Counsel for the State. Perused the case diary.
3. This is an application under Section 438, Cr.P.C. filed by the petitioner for anticipatory bail.
4. The petitioner is seeking pre-arrest bail in connection with G.R. Case No.3242 of 2022, arising out of Choudwar P.S. Case No.580 of 2022 pending in the court of learned J.M.F.C.(I), Cuttack for commission of offences punishable under Sections 379/411/34, I.P.C.
5. Considering the nature of allegation, gravity of offence and the fact of the case, I am not inclined to grant anticipatory bail to the petitioner. However, it is directed that in the event the petitioner surrenders and moves an application for bail before the learned court in seisin over the matter within a period of three weeks from today in the aforesaid case, he shall be released on bail on such terms and conditions as would be deemed just and proper.
6. It is further directed that the bail granted to the petitioner is

subject to the condition that the learned court below shall verify whether the petitioner has any criminal antecedents of similar nature. In the event it is found that the petitioner has any criminal antecedents of similar nature, this bail order shall automatically stand revoked. Case diary along with criminal antecedents be made available to the court below on date of surrender.

7. Accordingly, the ABLAPL is disposed of.

Urgent certified copy of this order be granted on proper application.

Jagabandhu

