

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.16161 of 2022

Sanjay Shaw

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

-versus-

State of Odisha

.... ***Opp. Party***
Mr. M.K. Mohanty, ASC

**CORAM:
JUSTICE CHITTARANJAN DASH**

**ORDER
22.12.2022**

Order No.

01.

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.379 IPC.
3. It reveals from the FIR that the solar light affixed to run the transformer supplied under Biju Krushak Yojana meant for the beneficiaries i.e the cultivators to have been stolen and found in the scrap go down of the Petitioner confessed by the co-accused who having been taken to custody has since been released on bail.
4. In view of the above submission of the learned counsel for the Petitioner, keeping in view of the submissions made, the circumstances appearing, the seriousness and gravity of the offences, while this Court is not inclined to grant anticipatory bail,

it is directed that in the event the Petitioner surrenders in connection with Biridi P.S. Case No.246 of 2022 corresponding to G.R. Case No.1642 of 2022 pending in the court of learned S.D.J.M., Jagatsinghpur within a period of two weeks' hence and move for bail, he shall be released on such terms and conditions as would be deemed just and proper by the said court with further conditions that he shall appear in person before the court below on each date of posting of the case unless specifically exempted by the court concerned; shall appear before the IO as and when required; shall not threaten or intimidate the Informant party in any manner whatsoever and shall cooperate with the investigation. Violation of any of the conditions shall entail cancellation of bail of the Petitioner.

5. It is made clear that the learned court below shall verify the criminal antecedent of the Petitioner. In case more than one antecedent is noticed, the order of this Court shall not be given effect to and the court shall be free to deal with the matter of bail according to its merit without further reference to the present.

6. The ABLAPL is disposed of.

(Chittaranjan Dash)
Judge