

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.16714 of 2021

Dasarathi Sahu

.... ***Petitioner***
Mr.Arijeet Mishra, Advocate

-versus-

State of Odisha

.... ***Opposite Party***
Mr. S. Jena, ASC

**CORAM:
MR. JUSTICE D.DASH**

ORDER
28.09.2022

Order No.

01. 1. This matter is taken up through hybrid arrangement (virtual/physical mode).
2. Mr. S.P. Mishra and associates by filing Vakalatnama of the Informant entering appearance in the case on her behalf and files an affidavit of the Informant which are taken on record.
3. This is the second journey of the petitioner, who is in custody in connection with Jeypore Town P.S. Case No.154 of 2008 arising out of G.R. Case No.640 of 2008 pending in the Court of the learned S.D.J.M., Jeypore for offence punishable under sections 493/420, I.P.C. in filing the petition under section 438 of Cr.P.C. for his release on bail in the event of his arrest.
4. Heard learned counsel for the Petitioner and learned counsel for the State.
5. Considering the submissions made and on going through the materials on record as also the earlier order

rejecting the prayer for grant of anticipatory bail to the Petitioner, finding no such changing circumstances, I am not inclined to reconsider the prayer for grant of anticipatory bail to the Petitioner. It is, however, observed that in the event the Petitioner surrenders before the court in seisin of the case within a period of four weeks hence and moves for his release on bail, the earlier order dated 22.02.2016 shall operate in the field in its letter and spirit. It is further observed that the court below while considering the matter of grant of bail to the Petitioner will take into account all such developments which have taken place in the meantime including those narrated in the contents of the affidavit of the Informant filed before the Court in their proper prospective.

6. The ABLAPL is accordingly disposed of.
Issue urgent certified copy as per rules.

(D. Dash)
Judge

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