



IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.2465 of 2024

Tapas Mandal

.....

Petitioner

Represented By Adv. –
Mr. Umesh Chandra Dora

-versus-

State Of Odisha

.....

Opposite Parties

Represented By Adv. –

Mr. M.R. Patra, ASC

Mr. Rajesh Ranjan Sahoo,
Advocate for the
Informant.

CORAM:

THE HON'BLE MR. JUSTICE ADITYA KUMAR MOHAPATRA

ORDER

27.03.2025

Order No.

- 08.
1. This matter is taken up through Hybrid Arrangement (Virtual/Physical Mode).
 2. Heard learned counsel for the parties.
 3. The present application has been filed under Section 438 of Cr.P.C. by the Petitioner seeking pre-arrest bail in connection with MV-79 P.S. Case No.98 of 2022, corresponding to G.R. Case No.457 of 2022, pending in the court of learned J.M.F.C., Motu, Malkangiri, registered for alleged commission of offences punishable under Sections 109/212/353/376(1) of the I.P.C.
 4. Considering the facts of the case, this Court is not inclined to grant pre-arrest bail to the Petitioner.
 5. However, on the submission of the learned counsel for the



Petitioner, the Petitioner is directed to surrender before the learned J.M.F.C., Motu, Malkangiri in the aforesaid case in the first hour within four weeks hence and move for bail. On such event, the learned Magistrate shall consider his application for bail in the first hour strictly on the basis of the materials on record. In case of rejection of the bail application, the Petitioner may move for bail before the higher forum in the second hour. On such event, the higher forum shall consider and dispose of the bail application of the Petitioner on the same day strictly on the basis of the materials on record.

6. Case Diary be made available to the concerned courts on an application being filed prior to surrender of the Petitioner before the court below. Records be transmitted to the higher forum at the cost of the Petitioner, if applied for.

7. The ABLAPL is, accordingly, disposed of.

Issue urgent certified copy of this order as per Rules.

(Aditya Kumar Mohapatra)
Judge

Debasis

Signature Not Verified

Digitally Signed
Signed by: DEBASIS AECH
Designation: SECRETARY
Reason: Authentication
Location: ORISSA HIGH COURT
Date: 02-Apr-2025 15:40:52

