



IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.9371 of 2025

***Anil Harijan @ Bikram
Harijan***

....

Petitioner

Mr. S. Dwibedi, Advocate

-versus-

Union of India (Railway)

....

Opposite Party

Mr. K. Nayak, Advocate
Sr. Panel Counsel

CORAM: JUSTICE V. NARASINGH

ORDER

13.08.2025

Order No.

- 01.** 1. Appearance memo filed by Mr. K. Nayak, learned Senior Panel Counsel, on behalf of the Union of India in Court is taken on record.
2. Heard learned counsel for the Petitioner and learned counsel for the Union of India.
3. The Petitioner is seeking pre-arrest bail in connection with 2(C)CC Case No.03 of 2025 pending on the file of learned J.M.F.C., Kesinga for commission of offences punishable under Section 3(a) the Railway Property (Unlawful Possession) Act, 1966 and section 153 of the Railway Act, 1989.
4. It is submitted by the learned counsel for the Petitioner that the implication is on account of the co-accused statement and the Petitioner has no criminal



proclivity. Hence, he may be protected by pre-arrest bail.

5. It is submitted by the learned counsel that one of the co-accused has since been released on pre-arrest bail by order dated 07.08.2025 by this Court in ABLAPL No.8973 of 2025. Hence, on the ground of parity, the Petitioner seeks pre-arrest bail.

6. Learned Sr. Panel Counsel Mr. Nayak submits so far as the ground of parity has been urged, he is not applicable, since the Petitioner has one criminal antecedent.

7. Taking into account the nature of allegation and the punishment prescribed, it is directed that on surrendering within three weeks hence and moving for bail, the Petitioner shall be released on bail by the learned Court in seisin on such terms and conditions as deemed just and proper subject to verification of criminal antecedent of any nature.

8. If it comes to fore that the Petitioner has any criminal antecedent other than Lanjigarh P.S. Case No.1 of 2025, this order shall not be given effect to.

9. It is needless to state that the Petitioner shall cooperate with the ongoing investigation.



10. Accordingly, the ABLAPL stands disposed of.

(V. NARASINGH)

Judge

Soumya

Signature Not Verified

Digitally Signed
Signed by: SOUMYA RANJAN SAMAL
Reason: Authentication
Location: High Court of Orissa
Date: 15-Aug-2025 11:43:57

