



IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.10329 of 2024

Jogindra Dharua

.....

Petitioner

Represented By Adv. –
Mr. Susanta Kumar Sahu

-versus-

State Of Odisha

.....

Opposite Parties

Represented By Adv. –

Mr. P.C. Das, ASC

CORAM:

THE HON'BLE MR. JUSTICE ADITYA KUMAR MOHAPATRA

ORDER

25.09.2024

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 appearing for the State-Opposite Party.
3. The present application has been filed under Section 482 of B.N.S.S., 2023 by the Petitioner seeking pre-arrest bail in connection with Attabira P.S. Case No.246 of 2024, corresponding to C.T. Case No.235 of 2024, pending in the court of learned N.G.N.-cum-J.M.F.C., Attabira, for alleged commission of offences punishable under Section 309 of B.N.S., 2023.
4. It is stated by the learned counsel for the Petitioner that the Petitioner, who is aged about 24 years, apprehending his



arrest in the present case. Learned counsel for the Petitioner further submitted that the Petitioner has been implicated in the present case on the basis of co-accused statement. Further, referring to the allegation made in the F.I.R., learned counsel for the Petitioner submitted that the Petitioner has been falsely implicated in the present case. Learned counsel for the Petitioner further contended that the Petitioner does not have any criminal antecedent and he belongs to the locality, therefore, there is no chance of his absconding.

5. Learned counsel for the State, on the other hand, opposed the release of the Petitioner on bail on the ground of seriousness and gravity of the allegation. He further contended that the investigation is still on. Learned counsel for the State further contended that in the event the Petitioner is released on pre-arrest bail, there is every likelihood that he might abscond from justice which would eventually cause delay in conclusion of the investigation as well as filing of charge sheet.

6. Considering the submissions made by the learned counsels appearing for the respective parties and on a careful examination of the materials on record and further taking note of the fact that the Petitioner has been implicated in the present case on the basis of co-accused statement and that he does not have any criminal antecedent, this Court directs that in the event the Petitioner surrenders before the Court in seisin over the matter within a period of three weeks from today and move an application for bail, the Court in seisin over the matter shall



release him on bail in connection with the aforesaid case on such terms and conditions as it may deem just and proper in the facts and circumstances of the case, but subject to verification of criminal antecedent of the Petitioner. In the event it is found by the court below that the Petitioner is having any similar criminal antecedent, then this order shall automatically stand revoked.

7. Accordingly, the ABLAPL is disposed of.

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

(Aditya Kumar Mohapatra)
Judge

Debasis

Signature Not Verified

Digitally Signed
Signed by: DEBASIS AECH
Reason: Authentication
Location: ORISSA HIGH COURT
Date: 27-Sep-2024 10:35:43

