

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.10150 of 2023

**Dillip Kumar Nayak @ Naik**

**Petitioner**

....

*Mr. S.S. Dash, Advocate*

-versus-

**State of Odisha**

....

**Opposite Party**

*Mr. A.P. Das, A.S.C.*

**CORAM:**

**JUSTICE A.K.MOHAPATRA**

**ORDER**

**26.09.2023**

**Order No.**

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioner, learned Addl. Standing Counsel for the State. Perused the records.
3. This is an application under Section 438, Cr.P.C. filed by the Petitioner for anticipatory bail, involving offence punishable under Sections 406/34 of I.P.C.
4. Considering the seriousness of the allegation, gravity of the offence and the facts of the case, although I am not inclined to grant anticipatory bail to the Petitioner, however it is observed that, in the event the Petitioner surrenders and moves for bail before the learned J.M.F.C.(R), Kujang in G.R. Case No.703 of 2023 arising out of Paradeep Model P.S. Case No.229 of 2023 within a period of four weeks from today, he shall be released on bail on such terms and conditions as the learned Magistrate may deem just and proper in the

facts and circumstances of the case, but subject to verification of criminal antecedent. In the event, the Petitioner is having more than one similar criminal antecedent, then this order stands automatically revoked.

5. The ABLAPL is disposed of accordingly.
6. Urgent certified copy of this order be granted as per rules.

**(A.K. Mohapatra)**  
**Judge**

Anil

