

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.143 of 2022

Sushil Kumar Barik

.... ***Petitioner***
Mr. Lalit Sahu, Advocate

-versus-

State of Odisha

.... ***Opp. Party***
Mr. S. Patra, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

23.09.2022

Order No.

05.

1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the petitioner and learned Additional Standing Counsel for the State.
3. This is an application under Section 438, Cr.P.C. filed by the petitioner for anticipatory bail.
4. The petitioner is seeking pre-arrest bail in connection with G.R. Case No.1456 of 2021, arising out of Balangir Sadar P.S. Case No.375 dated 01.11.2021 pending in the court of learned S.D.J.M., Balangir for commission of offences punishable under Sections 420/467/468/471/506/120-B, I.P.C.
5. Considering the nature of allegation, gravity of offence and the fact of the case, I am not inclined to grant anticipatory bail to the petitioner. However, it is directed that in the event the petitioner surrenders and moves an application for bail before the learned court in seisin over the matter within a period of three weeks from today in the aforesaid case, he shall be released on bail on such terms and

conditions as would be deemed just and proper with further conditions that:-

- I. The petitioner shall cooperate with the Investigating Officer as and when required for the purpose of investigation;
- II. he shall not default in attendance of the court during trial on each date of posting;
- III. they shall not threaten, harass and terrorize the informant and her /his family members in any manner whatsoever; and
- IV. he shall not tamper with the prosecution evidence in any manner whatsoever.

Violation of any of the terms and conditions shall entail cancellation of bail.

6. Accordingly, the ABLAPL is disposed of.

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

(A.K. Mohapatra)
Judge