

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No. 1539 of 2023

Santosh Sethi @ Santosh Kumar ***Petitioner***
Sethi

Mr. S.K. Dash, Advocate

-versus-

State of Odisha ***Opp. Party***
Mr. S.R Roul, ASC.

CORAM:
JUSTICE CHITTARANJAN DASH

ORDER
17.02.2023

Order No.

01. 1. Heard learned counsel for the Petitioner and for the State.
2. This is an application for bail U/s. 438 Cr.P.C. filed by the Petitioner in apprehension of arrest for his alleged involvement in the offences under Sections 420/294/506/34 of IPC.
3. Perusal of the FIR reveals that the present Petitioner enticed the Informant for a government job and took a sum of Rs. 4,05,000/- on different dates between the year 2010 to 2015 but he delayed to provide any job and when the Informant demanded to refund the money the Petitioner threatened him to do away with his life.
4. Learned counsel for the Petitioner submits that no prima facie case is made out against the present Petitioner.
5. Considering the submission of the learned counsel for the Petitioner, nature of allegations, the circumstances appearing and

the seriousness and gravity of the offences, while this Court is not inclined to grant anticipatory bail, it is directed that in the event the Petitioner surrenders and moves for bail in connection Purusottampur P.S Case No. 68 of 2023 corresponding to G.R. Case No. 66 of 2023 pending in the court of learned J.M.F.C., Purushottampur within a period of three weeks hence, he shall be admitted to bail on such terms and conditions as would be deemed just and proper by the said court, but subject to cash deposit of Rs. 1,00,000- (Rupees one Lakh) in the manner to be directed by the court to its satisfaction with further conditions as follows:-

- (i) The Petitioner shall appear before the I.O. and cooperate with the investigation as and when required;
- (ii) he shall also appear before the trial court on each date of trial, without fail, till conclusion of the trial;
- (iii) he shall not tamper with the prosecution evidence in any manner whatsoever;
- (iv) he shall not indulge in any other crime of similar nature or otherwise to the present case, in any manner whatsoever, while on bail and
- (v) violation of any of the conditions shall entail cancellation of bail.

6. It is made clear that the learned Court below shall verify the criminal antecedent of the Petitioner save and except Purusottampur P.S Case No. 65 of 2023. In case antecedent is noticed, the order of this Court shall not be given effect to and the court shall be free to

deal with matter of bail according to its merit without further reference to the present

7. The ABLAPL is disposed of accordingly.

(Chittaranjan Dash)
Judge

B.K Sahoo

