

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.2534 of 2022

Rakesh Jaiswal

.... ***Petitioner***
Mr. S.R. Pattnaik, Advocate

-versus-

State of Odisha

.... ***Opposite Party***
Mr. Shashanka Patra, A.S.C.

**CORAM:
JUSTICE A.K.MOHAPATRA**

ORDER
16.08.2022

Order No.

02. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioner and learned Addl. Standing Counsel for the State.
3. This is an application under Section 438, Cr.P.C. filed by the Petitioner for anticipatory bail, involving offence punishable under Sections 294/506, I.P.C. and Sections 66 & 67 of Information Technology Act.
4. Considering the nature of allegation, gravity of the offence and 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. (Rural), Cuttack in G.R. Case No.3215 of 2021 corresponding to Sadar P.S. Case No.725 of 2021 within a period of three weeks from today, the Petitioner 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 antecedents of the Petitioner. If it is found that there is more than one criminal antecedent against the Petitioner, then this bail order shall stand automatically revoked.

Further, while imposing conditions for bail, learned Magistrate shall also impose condition whereby the Petitioner shall give an undertaking to the learned court below to the effect that while on bail, he shall not threaten, terrorise, ill-treat, harass, humiliate or defame the Informant or his family members in any manner whatsoever, particularly using any electronic mode.

Violation of any of the conditions shall entail cancellation of bail of the Petitioner.

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

(A.K. Mohapatra)
Judge