

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.3112 of 2022

Panchanana Pradhan @ Pancha Pradhan ***Petitioner***

Mr. R.N. Rout, Advocate

-versus-

State of Odisha ***Opp. Party***
Mr. S. Patra, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER
25.08.2022

Order No.

- 04.
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.210 of 2021, arising out of Sheragada P.S. Case No.259 of 2021 pending in the court of learned Special Judge (POCSO), Berhampur for commission of offence punishable under Sections 294/506/509/323/34, I.P.C. read with Section 12 of the POCSO Act.
 5. It is submitted by learned counsel for the petitioner that the petitioner is the father of the principal accused against whom the allegation has been made. It is further submitted by learned counsel for the petitioner that the petitioner does not have any criminal antecedents.
 6. 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 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 not indulge in similar nature of criminal activities while on bail;
- II. he shall cooperate with the Investigating Officer as and when required for the purpose of investigation;
- III. he shall not default in attendance of the court during trial on each date of posting; and
- IV. he shall appear before the concerned Police Station once in a fortnight preferably on Sunday in between 10 A.M. to 1 P.M. till conclusion of trial.

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

7. Further, it is directed that the petitioner shall given an undertaking before the learned court below that while releasing on bail, he will ensure that as his son behaves properly and does not indulge in similar activities as alleged in the F.I.R.

8. Accordingly, the ABLAPL is disposed of.

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

(A.K. Mohapatra)
Judge

