

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.3805 of 2022

Ashok Sethi @ Jaga

....

Petitioner

Mr. Jugala Kishore Panda, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. Shashank Patra, A.S.C.

Mr. Achyutananda Pattnaik, Adv. (for Informant)

CORAM:

JUSTICE A.K.MOHAPATRA

ORDER

23.08.2022

Order No.

02. 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 and learned counsel for the Informant.
3. This is an application under Section 438, Cr.P.C. filed by the Petitioner for anticipatory bail, involving offence punishable under Sections 341/294/323/427/307/379/34, I.P.C.
4. Considering the seriousness of the 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., Rajnagar in G.R. Case No.117 of 2022 corresponding to Rajnagar P.S. Case No.99 of 2022 within a period of three 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 antecedents against the Petitioner as well as verification of Injury Report. If it is found that there is more than one criminal antecedent of similar nature against the Petitioner, then this bail order shall automatically stand revoked. Similarly, if the injuries caused to the injured are found to be serious in nature, then also this bail order shall stand automatically revoked.

While imposing conditions for bail, learned Magistrate shall also impose the following conditions –

- (i) The Petitioner shall not threaten, terrorise, ill-treat or harass the Informant and his family members in any manner whatsoever, while on bail.
 - (ii) He shall appear before the I.O. and shall cooperate with the investigation as and when required.
 - (iii) He shall also appear before the learned trial court on each date of trial, without fail.
 - (iv) 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