

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No. 3987 of 2022

Pradeep Kumar Nayak

....

Petitioner

Mr. A.K. Parida, Advocate

-versus-

State of Odisha and another

....

Opposite Parties

Ms. S. Mishra, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

18.05.2022

Order No.

01.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioner and learned counsel for the State.
3. Perused the Case Diary.
4. The petitioner is seeking pre-arrest bail in connection with Spl. G.R. Case No.137 of 2019 arising out of Soro P.S. Case No.437 of 2019 pending in the Court of learned Additional District Judge-cum-Special Court, (SC/ST) Act, Balasore for commission of offence punishable under Sections 294,341,323,506 of the IPC.
5. In the light of the order passed by this Court in the case of ***Promod Kumar Ray and others vrs. State of Odisha*** reported in ***(2017) 67 OCR 309***, this ABLAPL is disposed of with the following observations.

6. The petitioner shall surrender before the learned Additional District Judge-cum-Special Court, (SC/ST) Act, Balasore, in Spl. G.R. Case No.137 of 2019 arising out of Soro P.S. Case No.437 of 2019 within two weeks from today. Seven days before the petitioner surrender before the said Court, Petitioner or his counsel shall serve a copy of the bail application or such number of copies of the bail application on the learned Public Prosecutor /Special Public Prosecutor, as required by him, for the purpose of notice to the victim and his/her dependent.

7. Taking into consideration the nature of the offence as alleged against the petitioner, it is directed that the petitioner shall be released on Interim Bail by the learned Additional District Judge-cum-Special Court, (SC/ST) Act, Balasore on the same day he surrender in the aforesaid case, pending disposal of the bail application on merit, on such terms and conditions as deemed just and proper, including the following conditions;

- 1) the petitioner shall appear before the I.O. once in a week on the day and time fixed by the said I.O. until further order by the learned Special Judge;
- 2) the petitioner shall not threaten, induce or coerce any witness of this case or the victim or his/her dependent in any manner whatsoever, and
- 3) the petitioner shall not involve himself in similar or any other offence during currency of this order.

8. Within two weeks of appearance of the victim and/or informant, the matter shall be considered on its own merits.

9. Accordingly, the ABLAPL stands disposed of.
10. Urgent certified copy of this order be granted as per rules.

(V. NARASINGH)
Judge

Santoshi

