

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No. 4619 OF 2022

Rajesh Mohanty@Rajesh Kumar Mohanty ***Petitioner***
Mr. Rabindranath Prusty, Advocate

-versus-

State of Odisha ***Opposite Party***
Mr. K.K. Gaya, ASC

CORAM:
JUSTICE V. NARASINGH

ORDER
20.05.2022

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. The petitioner is seeking pre-arrest bail in connection with Aul P.S. Case No. 258 of 2021 corresponding to T.R. Case No. 120 of 2021, pending on the file of the Learned District & Sessions Judge-cum-Special Court, Kendrapara for commission of offence under Sections- 341/323/294/506/307/34 I.P.C read with Section 3 (1)(r)/3 (1)(s)/3(2)(va) of SC & ST (POA) Act.
5. In the light of the order passed by this Court in the case of ***Pramod Kumar Ray and Others vrs. State of Odisha, reported in (2017) 67 OCR -309***, this ABLAPL is disposed of with the following observations.

5-1. The petitioner shall surrender before the learned District & Sessions Judge-cum-Special Court, Kendrapara in .R. Case No. 120 of 2021 corresponding to Aul P.S. Case No. 258 of 2022 within two weeks from today. Seven days before the petitioner surrenders 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.

6. 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 District & Sessions Judge-cum-Special Court, Kendrapara on the same day he surrenders 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 dependant in any manner whatsoever; and

(3) the petitioner shall not involve himself in similar or any other offence during currency of this order.

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

8. The ABLAPL accordingly stands disposed of.

9. Urgent certified copy of this order be granted as per rules.

Balaram

*(V.Narasingh)
Judge*

