

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMA No.104 of 2022

Sebati Mohanty

....

Petitioner

-versus-

1. *State of Odisha*

....

Opposite Parties

2. *Asit Pattanaik @ Silu*

CORAM: JUSTICE S. PUJAHARI

Order
No.

ORDER
19.09.2022

- 06.
1. This matter is taken up through hybrid mode.
 2. This application has been filed by the Petitioner with a prayer for cancellation of the bail order dated 29th September, 2021 passed by this Court in ABLAPL No.9611 of 2021 for deliberate and willful violation of the condition imposed by this Court while allowing the bail application of the Opposite Party No.2.
 3. Heard the learned counsel for the parties.
 4. Learned counsel for the Petitioner submits that though this Court had imposed condition while releasing the

Opposite Party No.2 on pre-arrest bail vide order dated 29th September, 2021 passed by this Court in ABLAPL No.9611 of 2021 that he would not indulge himself in any criminal activity while on bail, but after his release, he was indulged in criminal activities, for which, Kendrapara P.S. Case No.675 of 2021 has been registered. In view of such violation of such condition, the aforesaid bail order is required to be cancelled.

5. Learned counsel appearing for the Opposite Party No.2 submits that the allegation made against the Opposite Party No.2 is false and concocted one, as the police have already investigated into the aforesaid F.I.R. in the meanwhile and found that the allegations made therein is false. The aforesaid F.I.R. designs only to frustrate the order of this Court. Therefore, there is no violation of the condition imposed by this Court much less in supervening circumstances to cancel the order of pre-arrest bail, this petition is liable to be rejected.

6. After considering the aforesaid facts and submissions made, especially the fact that the police have already investigated into the aforesaid F.I.R. and found that the allegation made therein is false, so also there are no supervening circumstances to cancel the order of pre-arrest bail, this Court is of the view that the prayer made in this petition is devoid of merit.

7. Accordingly, the CRLMA is stands dismissed.

(S. Pujahari)
Judge

DA

