

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.5590 of 2022

Jagannath Mohapatra

.... ***Petitioner***
Mr.S.K. Dash, Advocate

-versus-

State of Odisha

.... ***Opposite Party***
Mr.Samaresh Jena, ASC

**CORAM:
MR. JUSTICE D.DASH**

ORDER
29.11.2022

Order No.

03. 1. This matter is taken up by hybrid arrangement (virtual/physical mode).
2. Learned counsel for the Petitioner submits that this Petitioner is in no way concerned with the commission of principal offences. He further submits that Petitioner being the brother of principal accused, namely, Gouranga Mohapatra, has been implicated in the case being falsely assigned with some roles at a subsequent point of time only to harass him. In view of all these above and in the absence of any such impediment; he urges for grant of anticipatory bail to the Petitioner. He also points out that the Petitioner being under interim protection since 10.06.2022 has been cooperating with the investigation without misusing the liberty
3. Learned counsel for the State does not dispute the position that the prosecution allegations in respect of

commission of the principal offences run against accused Gouranga Mohapatra. He, however, opposes the present move of the Petitioner in view of the roles assigned to him.

4. Considering the submissions and on going through the nature of accusations; further keeping in view the surrounding circumstances of the case as also concerning the Petitioner; it is directed that in the event the Petitioner surrenders before the court in seisin of the case in connection with Chandpur P.S. Case No.158 of 2021 corresponding to G.R. Case No.387 of 2021 on the file of learned J.M.F.C., Ranapur within three weeks hence and moves for his release on bail, he shall be released on bail on such terms and conditions as would be deemed just and proper by the said court in seisin of the case with further condition that he will not threaten or terrorize the prosecution witnesses including the victim in any manner.

Violation of any of the above condition(s) shall entail cancellation of bail.

5. The ABLAPL is accordingly disposed of.
Issue urgent certified copy as per rules.

(D.Dash)
Judge

Basu