

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.7410 of 2022

Durga Madhab Sahu

....

Petitioner

Mr. Rabinarayan Mohanty, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. P.C. Das, A.S.C.

CORAM:

JUSTICE A.K.MOHAPATRA

ORDER

05.08.2022

Order No.

02. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioner and learned Addl. Standing Counsel for the State.
3. This is an application under Section 438, Cr.P.C. filed by the Petitioner for anticipatory bail, involving offence punishable under Sections 452/509/294/323/354/354-B, I.P.C.
4. Considering the nature of 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 before the learned S.D.J.M., Puri in G.R. Case No.933 of 2022 corresponding to Baliapanda P.S. Case No.055 of 2022 within a period of three weeks from today, the Petitioner 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. If it is found that there is more than one criminal antecedent against the Petitioner, then this bail order shall stand automatically revoked.

Further, while imposing conditions for bail, learned Magistrate shall also impose the condition that, while on bail, the Petitioner shall not enter into the house of the Informant and/or shall not threaten, terrorise, ill-treat or harass the Informant and her family members in any manner whatsoever. In the event the Petitioner is found to be indulged in such type of criminal activities again, the bail order shall be revoked and it is open for the learned court in seisin over the matter to proceed against the Petitioner in accordance with law.

5. The ABLAPL is disposed of accordingly.
6. Urgent certified copy of this order be granted as per rules.

(A.K. Mohapatra)
Judge