

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.7516 of 2022

Sipuna @ Sapan Patra

Petitioner

....
Mr.Chandan Samantaray, Advocate

-versus-

State of Odisha

.... ***Opposite Party***

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

**CORAM:
JUSTICE A.K.MOHAPATRA**

**ORDER
22.09.2022**

Order No.

02. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Memo filed by the learned counsel for the Petitioner in Court today be kept on record. He is also carry out the correction on the body of the application
3. Heard learned counsel for the Petitioner, learned Addl. Standing Counsel for. Perused the records.
4. This is an application under Section 438, Cr.P.C. filed by the Petitioner for anticipatory bail, involving offence punishable under Sections 393 and 398 of the Indian Penal Code.
5. It is submitted by the learned counsel for the Petitioner that the Petitioner is aged about 19 years. Further, he submits that as per the allegation an attempt was made to snatch away the chain. It is also submitted by the learned counsel for the Petitioner that the Petitioner does not have similar criminal antecedents.

6. Considering the seriousness of the allegation, gravity of the offence and the 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 and moves for bail before the learned S.D.J.M., Balasore in C.T.No.680 of 2022 arising out of Sahadevkhunta P.S.Case No.166 of 2022 within a period of three weeks from today, he 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 injury and criminal antecedents of similar nature.

While imposing conditions for bail, learned Magistrate shall also impose the following additional conditions –

- (i) The Petitioner shall appear before the I.O. and shall cooperate with the investigation as and when required by the I.O.;
- (ii) He shall not indulge in similar nature of offence while on bail;
- (iii) He shall appear before the trial court on each and every date fixed.

Violation of any of the conditions shall entail cancellation of bail of the Petitioner.

7. The ABLAPL is disposed of accordingly.

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

(A.K. Mohapatra)
Judge