

**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**ABLAPL No.16048 of 2022**

***Mitu Badajena @ Nrusingh Charan ....  
Badajena***

***Petitioner***

*Mr. J. Sahoo, Advocate*

*-versus-*

***State of Odisha***

***.... Opp. Party  
Mr. S. Mishra, ASC***

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

**ORDER**

**22.12.2022**

**Order No.**

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel appearing for the Petitioner and learned Additional Standing Counsel appearing for the State-Opposite Party.
3. The Petitioner is seeking pre-arrest bail in connection with Nirakarpur P.S. Case No.263 of 2022, corresponding to G.R. Case No.791 of 2022, pending in the Court of learned N.G.N.-cum-J.M.F.C., Tangi, registered for alleged commission of offences punishable under Sections 379/411/34 of the I.P.C.
4. Considering the nature of allegation, gravity of offence and the fact of the case, I am not inclined to grant pre-arrest bail to the Petitioner. However, it is observed that in the event the Petitioner surrenders and moves an application for bail before the Court in seisin over the matter within a period of three weeks from today in the aforesaid case, the Court in seisin over the matter shall release him on bail on such terms and conditions as it would be deemed just and proper including the conditions that the Petitioner shall furnish

cash security of Rs.5,000/- (rupees five thousand) before the Court in seisin over the matter and shall not indulge in similar criminal activities while on bail. Violation of any of the conditions shall entail cancellation of bail of the Petitioner automatically.

5. It is further directed that the bail granted to the Petitioner is subject to the condition that learned court below shall verify whether the Petitioner has any criminal antecedent of similar nature. In the event it is found that the Petitioner has any criminal antecedent of similar nature, this bail order shall automatically stand revoked. Case diary along with the criminal antecedents be made available on the date of surrender of the Petitioner before the learned court below.

6. Accordingly, the ABLAPL is disposed of.

Urgent certified copy of this order be granted on proper application.

