

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.16589 of 2022

Omm Sasmal @ Bicky

Petitioner
....
Mr. Arijeet Mishra, Advocate

-versus-

State of Odisha

Opposite Party
....
Mr. Shashanka Patra, A.S.C.

**CORAM:
JUSTICE CHITTARANJAN DASH**

Order No.

**ORDER
04.01.2023**

- 01.
1. Heard the learned counsels for the Petitioner and the State.
 2. By means of this application, the Petitioner seeks grant of bail U/s.438 Cr.P.C. in apprehension of arrest for his alleged involvement in the offences U/s. 341/323/325/427/506/34, I.P.C. in connection with Bidanasi P.S. Case No.200 of 2022 corresponding to G.R. Case No.1540 of 2022 pending in the court of the learned J.M.F.C.-III, Cuttack.
 3. Considering the submission of the learned counsel for the Petitioner, nature of allegations, the circumstances appearing and the seriousness and gravity of the offences, while this court is not inclined to grant anticipatory bail, it is directed that, in the event the Petitioner surrenders and moves for bail before the learned J.M.F.C.-III, Cuttack in the aforesaid G.R. Case within a period of three weeks from today, he shall be allowed to go on bail on such terms and conditions as would be deemed just and proper by the

said court, but subject to verification of Criminal Antecedents of the Petitioner and the injuries if not found grievous.

4. If it is found that there is criminal antecedent to the credit of the present Petitioners or the injuries to be grievous, this order shall not be given effect to. However, if the learned Magistrate is satisfied that there is no other criminal antecedent against the Petitioners and the injuries to be not grievous and admits the Petitioner to bail, the following further conditions be imposed –

- (i) The Petitioner shall appear before the I.O. and shall cooperate with the investigation as and when required;
- (ii) He shall appear in person before the trial court on each date of posting of the case unless specifically exempted by the court concerned.
- (iii) He shall not threaten, intimidate, terrorise or harass the informant party members including the prosecution witnesses in any manner and shall not tamper with the prosecution evidence in any manner whatsoever, while on bail.
- (iv) He shall not involve in any other offence or criminal activities of similar nature to the present case in any manner whatsoever, while on bail.
- (v) Violation of any of the conditions shall entail cancellation of bail of the Petitioner.

5. The ABLAPL is disposed of accordingly.

(Chittaranjan Dash)
Judge