

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

**ABLAPL No.8961 of 2022**

***Krishna Sha***

.... ***Petitioner***  
*Mr. R.N. Panda, Advocate*

-versus-

***State of Odisha***

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

*Mr. S. Mishra, A.S.C.*

**CORAM:**

**JUSTICE A.K. MOHAPATRA**

**ORDER**  
**18.10.2022**

**Order No.**

**I.A. No.1830 of 2022**

03. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the petitioner as well as learned counsel for the State.
3. In view of the submissions made, the order dated 03.08.2022 is hereby recalled. Accordingly, the I.A. stands allowed.

**( A.K. Mohapatra )**  
**Judge**

**ABLAPL No.8961 of 2022**

03. 4. Heard.
5. The petitioner is seeking pre-arrest bail in connection with G.R. Case No.320 of 2022, arising out of Khamar P.S. Case No.137 of 2022 pending in the court of learned S.D.J.M., Pallahada for

commission of offence punishable under Sections 379/465/468/471/411/34, I.P.C. read with Section 12 of the OMMPT Act.

6. Considering the nature of allegation, gravity of offence and the facts of the case, I am not inclined to grant anticipatory bail to the petitioner. However, it is directed that in the event the petitioner surrender and move an application for bail before the learned court in seisin over the matter within a period of three weeks from today, he shall be released on bail on such terms and conditions as would be deemed just and proper subject to condition that they shall furnish cash security of Rs.10,000/- (rupees ten thousand) with further conditions that besides other conditions would be imposed by the learned court below while releasing the petitioner on bail with further conditions that :-

- I. The petitioner shall not be involved in any offence of similar nature;
- II. he shall not tamper with the prosecution evidence or try to threaten or influence the witnesses in any manner whatsoever;
- III. he shall not make any default in attending the court during trial on each date without fail; and
- IV. he shall appear before the concerned Police Station once in a fortnight preferably on 'Sunday' in between 10.00 A.M. to 1.00 P.M. till conclusion of trial.

Violation of any of the terms and conditions shall entail cancellation of bail.

7. It is further directed that the bail granted to the petitioner is subject to depositing the cash of Rs.10,000/-(rupees ten thousand) before the learned court below, which shall be deposited in any Nationalized Bank in interest earning deposit initially for a period of one year renewable from time to time to be disburse the same final outcome of the result of the present case.

8. Four weeks' further time from today is extended for the petitioner to surrender before the learned court below, vide order dated 03.08.2022 passed in ABLAPL No.8961 of 2022, but subject to depositing cost of Rs.500/- (Rupees five hundred) in the Advocates' Welfare Fund of Orissa High Court Bar Association within fifteen days and furnishing money receipt thereof in proof of deposit.

9. It is made clear that, if the cost is not deposited within the stipulated time, time extended for the petitioner to surrender shall stand revoked automatically.

10. The ABLAPL is accordingly disposed of.

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

( *A.K. Mohapatra* )  
*Judge*