

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.8993 of 2022

Braja Bandhu Dalei

....

Petitioner

Mr. Amlan Shakti Paul, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. M.K. Mohanty, A.S.C.

CORAM:

JUSTICE A.K.MOHAPATRA

ORDER

03.08.2022

Order No.

01. 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 379/411/34, I.P.C. read with Section 51 of the OMMC Rules, 2006.
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., Khurda in G.R. Case No.1021 of 2022 corresponding to Bolagarh P.S. Case No.163 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 of the Petitioner. If it is found that there is more than one criminal antecedent of similar nature against the Petitioner, then this bail order shall not be given effect to.

Further, while imposing conditions for bail, learned Magistrate shall also impose condition whereby the Petitioner shall not indulge in similar offence while on bail.

Violation of any of the conditions shall entail cancellation of bail of the Petitioner, and the learned court below shall 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