

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.9361 of 2022

Akshay Ranjan Das

....

Petitioner

Mr. Basudev Barik, Advocate

-versus-

State of Odisha

....

Opp. Party

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

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

30.08.2022

Order No.

02.

1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).

2. Heard learned counsel for the petitioner and learned Additional Standing Counsel for the State.

3. This is an application under Section 438, Cr.P.C. filed by the petitioner for anticipatory bail.

4. The petitioner is seeking pre-arrest bail in connection with G.R. Case No.911 of 2022, arising out of Cuttack Mahila P.S. Case No.87 of 2022 pending in the court of learned S.D.J.M.(S), Cuttack for commission of offence punishable under Sections 354-A/354-B/494/506/294/420/34/66, I.P.C. read with Section 87 of the I.T. Act

5. As per F.I.R., it appears that the relationship between the petitioner and the victim was consensual. It is alleged in the F.I.R. that the present petitioner outraged the modesty of the informant, abusing her in filthy languages and threatened her in dire consequences. It is further alleged that the petitioner also cheated a cash of Rs.20,000/- (rupees twenty thousand) for providing her job

along with gold ornaments.

6. Considering the nature of allegation, gravity of offence and the fact of the case, I am not inclined to grant anticipatory bail to the petitioner. However, it is directed that in the event the petitioner surrenders and moves an application for bail before the learned court in seisin over the matter within a period of three weeks from today in the aforesaid case, he shall be released on bail on such terms and conditions as would be deemed just and proper with further conditions that :-

- I. The petitioner shall cooperate with the Investigating Officer as and when required for the purpose of investigation and the documents be produced as required for the purpose of investigation;
- II. he shall not default in attendance of the court during trial on each date of posting;
- III. while on bail, he shall not threaten, harass and terrorize the informant and her /his family members in any manner whatsoever; and
- IV. he shall not indulge in similar activities while on bail.

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

7. It is further directed that the bail granted to the petitioners is subject to the condition that the petitioner shall return a cash of Rs.20,000/-(rupees twenty thousand) to the informant at the time of release on bail. In the event it is found that the petitioner fails return

the same, this bail order shall automatically stand revoked.

8. 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 antecedents of similar nature. In the event it is found that the petitioner has any criminal antecedents of similar nature, this bail order shall automatically stand revoked.

9. Accordingly, the ABLAPL is disposed of.

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

Jagabandhu

