

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.9443 of 2022

Chintu @ Biswajit Rout

....

Petitioner

Mr. Biswaranjan Dalai, Advocate

-versus-

State of Odisha

....

Opp. Party

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

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

10.08.2022

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the petitioner and learned 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.1834 of 2022, arising out of Sadar P.S. Case No.447 of 2022 pending in the court of learned J.M.F.C.(R), Cuttack for commission of offence punishable under Sections 294/386/427/506/34, I.P.C.
5. It is submitted by learned counsel for the petitioner that on similar footing with the present petitioner, another co-accused, namely, Butu @ Niranjan Pradhan has already been granted interim protection by this Court in ABLAPL No.15226 of 2021 by order dated 14.12.2021.

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 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 condition that petitioner shall not harass, torture, threaten or terrorize the informant and his/her family members in any manner whatsoever while on bail.

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

6. 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 more than one criminal antecedents of similar nature. In the event it is found that the petitioner has more than one criminal antecedents of similar nature, this bail order shall automatically stand revoked.

7. Accordingly, the ABLAPL is disposed of.

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

(A.K. Mohapatra)
Judge