

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.9539 of 2022

Asutosh Das Mohapatra

....

Petitioner

Mr. H.N. Mohapatra, Advocate

-versus-

State of Odisha

....

Opp. Party

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

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

11.08.2022

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.1082 of 2022, arising out of Town P.S. Case No.157 of 2022 pending in the court of learned S.D.J.M., Puri for commission of offence punishable under Sections 341/294/323/506/353/386/387/34, I.P.C.
5. It is submitted by learned counsel for the petitioner that the petitioner is a young boy and he is also a law student. He further submits that the petitioner has been falsely implicated in this case by the police as the petitioner had protested the action of the police. It is also submitted by learned counsel for the petitioner that the

petitioner had one criminal antecedent i.e. for the commission of offence under Sections 506/323, I.P.C. and that the petitioner does not have any criminal antecedents of similar nature of offence.

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 condition that while on bail, petitioner shall not indulge in similar activities.

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 the condition that learned court below shall verify whether the petitioner has more than one criminal antecedents. In the event it is found that the petitioner has more than one criminal antecedents indicated hereinabove, this bail order shall automatically stand revoked.

8. Accordingly, the ABLAPL is disposed of.

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

(A.K. Mohapatra)
Judge