

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.9711 of 2022

Nalu @ Kartik Majhi

..... Petitioner

Mr. J. Mohanty, Advocate

-versus-

State of Odisha

..... Opp. Party

Mr. S. Patra, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

12.08.2022

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 C.T. Case No.1014 of 2022, arising out of Panikoili Mahila P.S. Case No.174 of 2022 pending in the court of learned J.M.F.C., Jajpur Road for commission of offence punishable under Sections 341/294/323/354B/354-C/506, I.P.C.
5. It is submitted by learned counsel for the petitioner that there is no injury sustained by the injured and that the petitioner has been falsely implicated in this case.
6. Further, it is submitted by learned counsel for the petitioner that there was a dispute between the parties. Although a complaint lodged by the petitioner, the same has not been registered by the police.

7. 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. Petitioner shall not harass, torture, threaten or terrorize the informant and his/her family members in any manner whatsoever while on bail;
- II. he shall not indulge in similar activities while on bail; and
- III. 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 investigation and thereafter, once in a month till conclusion of trial as and when the time fixed by the I.O.

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

8. Accordingly, the ABLAPL is disposed of.

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

(A.K. Mohapatra)
Judge