

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.10095 of 2022

Suvendu Mohanty

....

Petitioner

Mr. Dillip Kumar Pradhan, Advocate

-versus-

State of Odisha

....

Opposite Party

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

CORAM:

JUSTICE A.K.MOHAPATRA

ORDER

25.08.2022

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 341/294/354/506/427, I.P.C.
4. Considering the seriousness of the allegation, gravity of the offence and the submission made by learned counsel for the Petitioner that the Petitioner has no criminal antecedent of similar nature, although I am not inclined to grant anticipatory bail to the Petitioner, however it is observed that, in the event the Petitioner surrenders and moves for bail before the learned S.D.J.M., Cuttack Sadar in G.R. Case No.878 of 2022 corresponding to Dargha Bazar P.S. Case No.80 of 2022 within a period of three weeks from today, he 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 antecedent of the Petitioner. In the event it is found that there is more than one criminal antecedent against the Petitioner, then this bail order shall stand revoked automatically.

While imposing conditions for bail, learned Magistrate shall also impose the following further conditions –

(i) That, the Petitioner shall not indulge in similar offence again, while on bail;

(ii) He shall cooperate in the investigation by appearing before the I.O. as and when required;

(iii) He shall not threaten, terrorise, ill-treat, harass the Informant and her family members in any manner and shall not tamper with the prosecution evidence in any manner whatsoever;

(iv) He shall also appear before the learned trial court on each date fixed for trial, without fail.

Violation of any of the conditions shall entail cancellation of bail of the Petitioner.

5. The ABLAPL is disposed of accordingly.

6. Urgent certified copy of this order be granted as per rules.

(A.K. Mohapatra)
Judge