

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.10142 of 2022

Dinesh Bag

.... ***Petitioners***
Mr. J. Panda, Advocate

-versus-

State of Odisha

.... ***Opposite Party***

Mr. P.C. Das, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

26.09.2022

Order No.

I.A. No.1699 of 2022

- 02.
1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
 2. Heard learned counsel for the petitioners as well as learned counsel for the State.
 3. In view of the submissions made, the order dated 26.08.2022 is hereby recalled. Accordingly, the I.A. stands allowed.

(A.K. Mohapatra)
Judge

ABLAPL No.10142 of 2022

- 03.
4. Heard.
 5. The petitioner is seeking pre-arrest bail in connection with G.R. Case No.315 of 2022, arising out of Tureikela, P.S. Case No.127 of 2022 pending in the court of learned J.M.F.C., Kantabanji

for commission of offence punishable under Sections 294/506/307, I.P.C.

6. Considering the nature of allegation, gravity of offence and the facts of the case, I am not inclined to grant anticipatory bail to the petitioner. However, it is directed that in the event the petitioner surrender and move an application for bail before the learned court in seisin over the matter within a period of three weeks from today, he shall be released on bail on such terms and conditions as would be deemed just and proper subject to condition that they shall furnish cash security of Rs.5,000/- (rupees five thousand) with further conditions that besides other conditions would be imposed by the learned court below while releasing the petitioner on bail with further conditions that :-

- I. The petitioner shall not be involved in any offence of similar nature;
- II. he shall not tamper with the prosecution evidence or try to threaten or influence the witnesses in any manner whatsoever;
- III. he shall not make any default in attending the court during trial on each date without fail; and

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 two criminal antecedents of similar nature. In the event it is found that the petitioner has more than two any criminal antecedents of similar nature, this bail order shall

automatically stand revoked.

8. Four weeks' further time from today is extended for the petitioner to surrender before the learned court below, vide order dated 26.08.2022 passed in ABLAPL No.10142 of 2022, but subject to depositing cost of Rs.500/- (Rupees five hundred) in the Advocates' Welfare Fund of Orissa High Court Bar Association within fifteen days and furnishing money receipt thereof in proof of deposit.

9. It is made clear that, if the cost is not deposited within the stipulated time, time extended for the petitioner to surrender shall stand revoked automatically.

10. The ABLAPL is accordingly disposed of.

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

(*A.K. Mohapatra*)
Judge

Jagabandhu

