

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.10350 of 2022

Md. Moaz Alam @ Ladu @ Babu **Petitioner**
Mr. Kuldeep Mohanty, Advocate
-versus-
State of Odisha **Opposite Party**

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

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER
22.09.2022

Order No.

I.A. No.1596 of 2022

02. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the petitioner as well as learned counsel for the State.
3. In view of the submissions made, the order dated 02.09.2022 is hereby recalled. Accordingly, the I.A. stands allowed.

(A.K. Mohapatra)
Judge

ABLAPL No.10350 of 2022

03. 4. Heard.
5. The petitioner is seeking pre-arrest bail in connection with G.R. Case No.47 of 2022, arising out of Biramitrapur P.S. Case No.109 of 2022 pending in the court of learned Civil Judge (Jr.

Division)-cum-J.M.F.C., Biramitrapur for commission of offence punishable under Section 379, 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 surrenders 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 he shall furnish cash security of Rs.7,500/- (rupees seven thousand five hundred) 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 three criminal antecedents of similar nature. In the event it is found that the petitioner has more than three criminal antecedents of similar nature, this bail order shall

automatically stand revoked.

8. The ABLAPL is accordingly disposed of.

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

(A.K. Mohapatra)
Judge

Jagabandhu

