

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.10582 of 2022

Tularam Harijan @ Kanhu Harijan ***Petitioner***
Mr. A. Mishra, Advocate

-versus-

State of Odisha ***Opp. Party***

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

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

06.09.2022

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.778 of 2022, arising out of Jeypore Sadar P.S. Case No.236 of 2022 pending in the court of learned S.D.J.M., Jeypore for commission of offence punishable under Section 379, I.P.C.
5. 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 moves 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.10,000/- (rupees ten thousand) with further conditions that while on bail, he shall not indulge similar nature of criminal activities besides other conditions would be imposed by the learned court below while releasing the petitioner on bail.

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

6. 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 criminal antecedents of similar nature, this bail order shall automatically stand revoked.

7. It is open for the learned court below, if the petitioner fails to carry out the terms and conditions, then the learned court below shall proceed against the petitioners in accordance with law.

8. Accordingly, the ABLAPL is disposed of.

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

(A.K. Mohapatra)
Judge