

**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**ABLAPL No.10676 of 2022**

***Ekadasia Behera***

.... ***Petitioner***  
*Mr. D.R. Mishra, Advocate*

***-versus-***

***State of Odisha***

.... ***Opposite Party***  
*Mr. Shashanka Patra, A.S.C.*

**CORAM:  
JUSTICE A.K.MOHAPATRA**

**ORDER**  
**08.09.2022**

**Order No.**

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioner and learned 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 379/411/120-B, I.P.C. and Section 12 of Orissa Minerals Act, 1988.
4. Considering the seriousness of the allegation, gravity of the offence and the facts of the case, 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., Athamallik in G.R. Case No.830 of 2022 corresponding to Handapa P.S. Case No.226 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 the Petitioner furnishing cash security of Rs.5,000/- (Rupees five thousand) to the satisfaction of learned court in seisin over the matter.

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

- (i) The Petitioner shall not indulge in similar nature of offence in any manner while on bail by virtue of this order;
- (ii) He shall appear before the I.O. and shall cooperate with the investigation as and when required.
- (iii) He shall also appear before the learned trial court on each date of 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**