

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.10775 of 2022

Subha Sankha Mohanty

....

Petitioner

Mr. Arijeet Mishra, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. P.C. Das, 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 143/341/448/323/294/385/353/506/149, I.P.C.
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 J.M.F.C., Jajpur Road in C.T. Case No.1083 of 2022 corresponding to Korei P.S. Case No.266 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.

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

- (i) The Petitioner shall not threaten, terrorise, ill-treat or harass the Informant and his family members and the prosecution witnesses in any manner whatsoever, while on bail by virtue of this order;
- (ii) He shall not cause any disturbance in the office of the Panchayat Samiti, Korei or any other office.
- (iii) He shall appear before the I.O. and shall cooperate with the investigation as and when required.
- (iv) 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 Petitioners.

- 5. The ABLAPL is disposed of accordingly.
- 6. Urgent certified copy of this order be granted as per rules.

(A.K. Mohapatra)
Judge