

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.10834 of 2022

Mrutyunjaya Jena

....

Petitioner

Mr. P.K. Mishra, Advocate

-versus-

State of Odisha

....

Opp. Party

Mr. S. Patra, A.S.C.

*Mr. B. Pr. Chhualsingh, Advocate for
the infromant*

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

27.09.2022

Order No.

02.

1. This matter is taken up through Hybrid Arran/gement (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 seeking pre-arrest bail in connection with G.R. Case No.533 of 2022, arising out of Rajkanika P.S. Case No.266 of 2022 pending in the court of learned J.M.F.C., Aul for commission of offence punishable under Sections 451/427/294/354/354-B/323/379/506, I.P.C.
5. It is submitted by learned counsel for the petitioner that there is a civil dispute between the parties with regard to the inheritance property as result of which litigations were scuffled between the two groups. It is further submitted by learned counsel for the petitioner that the petitioner does not have any criminal antecedent.
6. Considering the nature of allegation, gravity of offence and the fact 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 before the learned court in seisin over the matter within a period of three weeks from today in the aforesaid case, he shall be released on bail on such terms and conditions as would be deemed just and proper with the following conditions:-

- I. The petitioner shall cooperate with the Investigating Officer as and when required for the purpose of investigation;
- II. he shall not threaten, harass and terrorize the informant and her /his family members in any manner whatsoever;
- III. he shall not default in attendance of the court during trial on each date of posting; and
- IV. he shall not indulge in similar criminal activities while on bail.

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 any criminal antecedents of similar nature. In the event it is found that the petitioner has any criminal antecedents of similar nature, this bail order shall automatically stand revoked.

8. Accordingly, the ABLAPL is disposed of.

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

(A.K. Mohapatra)
Judge