

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.10909 of 2022

Narahari Khadanga

....

Petitioner

Mr. Lambodar Achari, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. Shashanka Patra, A.S.C.

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

**ORDER
12.09.2022**

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 Section 420, I.P.C. read with Sections 63/65/69 of the Copy Rights (Amendment) Act, 2012.
4. It is submitted by the learned counsel for the Petitioner that the present Petitioner was earlier released on bail by this Court in ABLAPL No.3794 of 2020 vide order dated 07.05.2020. He further submits that initially the allegation was under Section 420, I.P.C. read with Sections 63 & 65 of the Copy Rights Act. However, later on charge-sheet has been filed adding the offence under Section 120-B/406/409, I.P.C. Therefore, the Petitioner has once again filed this present bail application.

5. Considering such submission, 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., Bhanjanagar in G.R. Case No.210 of 2019 corresponding to Bhanjanagar P.S. Case No.105 of 2019 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 appear before the I.O. and shall cooperate with the investigation as and when required.
- (ii) He shall not indulge again in any other similar offence in any manner while on bail by virtue of this order.

Violation of any of the conditions shall entail cancellation of bail of the Petitioner.

6. The ABLAPL is disposed of accordingly.

7. Urgent certified copy of this order be granted as per rules.

(A.K. Mohapatra)
Judge