

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.10935 of 2022

Manoj Kumar Behera

.... ***Petitioner***
Mr. U.R. Jena, Advocate

-versus-

State of Odisha

.... ***Opp. Party***
Mr. M.K. Mohanty, 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 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.1216(A) of 1992, arising out of Binjharpur P.S. Case No.208 of 1992 pending in the court of learned S.D.J.M., Jajpur for commission of offence punishable under Sections 147/148/294/452/337/427/307/380/149, I.P.C.
5. It is submitted by learned counsel for the petitioner that the case is of the year 1991. It is further submitted by learned counsel for the petitioner that some of the co-accused persons have been facing trial and they have been acquitted in the split up trial.
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 surrenders and moves an application for bail before the learned court in seisin over the matter within a period of three weeks from today in the aforesaid case, petitioner shall be released on bail on such terms and conditions as would be deemed just and proper with further conditions that :-

- I. The petitioner shall cooperate with the Investigating Officer as and when required for the purpose of investigation;
- II. he shall not default in attendance of the court during trial on each date of posting;

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

7. Accordingly, the ABLAPL is disposed of.

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

(A.K. Mohapatra)
Judge