

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.11017 of 2022

Suryakanta Lenka and another ***Petitioners***
Ms. Aditi Hota, Advocate

-versus-

State of Odisha ***Opp. Party***
Mr. M.K. Mohanty, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

13.09.2022

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual/Physical Mode).
2. Heard learned counsel for the petitioners and learned Additional Standing Counsel for the State.
3. This is an application under Section 438, Cr.P.C. filed by the petitioners for anticipatory bail.
4. The petitioners are seeking pre-arrest bail in connection with G.R. Case No.1830 of 2022, arising out of Colliery P.S. No.386 of 2022 pending in the court of learned S.D.J.M., Talcher for commission of offence punishable under Sections 407/34, I.P.C.
5. Considering the nature of allegation, gravity of offence and the facts of the case, I am not inclined to grant anticipatory bail to the petitioner no.2-Soumyaranjan Mohanty. However, it is directed that in the event the petitioner no.2-Soumyaranjan Mohanty surrenders and moves an application for bail before the learned court in seisin over the matter within a period of three weeks from today, he shall be released on bail on such terms and conditions as would be deemed just and

proper with further conditions that he shall not indulge in similar nature of criminal activities and he shall cooperate with the Investigating Officer as and when required for the purpose of investigation besides other conditions would be imposed by the learned court below while releasing the petitioners on bail. Violation of any of the terms and conditions shall entail cancellation of bail.

6. It is further directed that the petitioner no.1-Suryakanta Lenka shall be released on bail subject to condition that he shall furnish cash security of Rs.10,000/- (rupees ten thousand) with further conditions that while on bail, he shall not indulge similar nature of criminal activities and he shall cooperate with the Investigating Officer as and when required for the purpose of investigation besides other conditions would be imposed by the learned court below while releasing the petitioner on bail.

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