

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.11098 of 2022

Jyoti Prakash Mohanty

....

Petitioner

Mr. Anirudha Das, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. M.K. Mohanty, A.S.C.

CORAM:

JUSTICE A.K.MOHAPATRA

ORDER
14.09.2022

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 407/420/34, I.P.C.
4. It is submitted by learned counsel for the Petitioner that the Petitioner is the owner of the vehicle, which was involved in the alleged crime. He further submits that the Petitioner does not have any other criminal antecedent of similar nature.
5. 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

S.D.J.M., Dhenkanal in G.R. Case No.1119 of 2022 corresponding to Kantabania P.S. Case No.93 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, but subject to verification of Criminal Antecedents of the Petitioner. If it is found that there is more than one criminal antecedent of similar nature against the present Petitioner, then this bail order shall stand revoked automatically.

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

- (i) The Petitioner shall not indulge in any other offence of similar nature in any manner whatsoever while on bail by virtue of this order;
- (ii) He shall cooperate with the investigation and shall appear before the I.O. as and when required for the said purpose.

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