

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.11363 of 2022

Tarakanta Mallik

Petitioner

....

Ms.Bini Mishra, Advocate

-versus-

State of Odisha

....

Opposite Party

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

CORAM:

JUSTICE A.K.MOHAPATRA

ORDER

16.09.2022

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Mr.Pranaya Kumar Dash, learned Advocate files Vakalatnama in favour of the informant in court and opposes prayer for bail of the Petitioner.
3. Heard learned counsel for the Petitioner, learned Addl. Standing Counsel for the State. Perused the records.
4. This is an application under Section 438, Cr.P.C. filed by the Petitioner for anticipatory bail, involving offence punishable under Section 406 of the Indian Penal Code.
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 J.M.F.C.(City), Cuttack in G.R. Case No.1173 of 2022

corresponding to Madhupatna P.S. Case No.256 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.

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 by the I.O.;
- (ii) He shall appear before the trial court on each date fixed for trial, without fail;
- (iii) The Petitioner while on bail shall not indulge in similar nature of criminal offences.

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