

**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**ABLAPL No.11568 of 2022**

***Manoranjan Biswal @ Chintua and ....  
another***

***Petitioners***

*Mr. R.K. Sarangi, Advocate*

*-versus-*

***State of Odisha***

***.... Opp. Party***

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

**CORAM:**

**JUSTICE A.K. MOHAPATRA**

**ORDER**

**19.09.2022**

**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.771 of 2022, arising out of Salipur P.S. Case No.268 of 2022 pending in the court of learned J.M.F.C., Salipur for commission of offences punishable under Sections 341/323/294/379/506/34, I.P.C.
5. It is submitted by learned counsel for the petitioner that the petitioner no.1-Manoranjan Biswal has one criminal antecedents and on that case, he has already been released on bail and that the petitioner no.2-Swaraj Sekhar Mohapatra @ Babul does not have any criminal antecedents.
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 no.2-Swaraj Sekhar Mohapatra @ Babul. However, it is directed that in the event the petitioner no.2-Swaraj Sekhar Mohapatra @ Babul surrenders and moves application for bail before the learned court in seisin over the matter within a period of three weeks from today in the aforesaid case, he shall be released on bail on such terms and conditions as would be deemed just and proper.

7. Further, 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.1-Manoranjan Biswal. However, it is directed that in the event the petitioner no.1-Manoranjan Biswal 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 subject to condition that he shall furnish cash security of Rs.5,000/- (rupees five 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.

8. Accordingly, the ABLAPL is disposed of.

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

**( A.K. Mohapatra )**  
**Judge**