

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.11887 of 2022

Charan @ Jagan Kumar Naik **Petitioner**
Mr. Chiranjib Rout, Advocate

-versus-

State of Odisha **Opposite Party**
Mr. Shashanka Patra, A.S.C.

CORAM:
JUSTICE A.K.MOHAPATRA

ORDER
21.09.2022

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 452/294/354/506, I.P.C.
4. 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., Talcher in G.R. Case No.2063 of 2022 corresponding to Samal Barrage P.S. Case No.255 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. In the event it is found that there is more than one criminal antecedents of similar nature against the Petitioner, then this bail order shall stand automatically revoked.

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

- (i) The Petitioner shall cooperate with the investigation and shall appear before the I.O. for the purpose of investigation as and when required;
- (ii) He shall appear before the concerned P.S. once in every fortnight preferably on Sunday between 10 A.M. to 1.00 P.M.
- (iii) He shall not threaten, terrorise, ill-treat or harass the Informant and his family members including the prosecution witnesses in any manner whatsoever;

Violation of any of the conditions shall entail cancellation of bail of the Petitioner, and the learned court in seisin over the matter shall take the petitioner to custody as per law.

5. The ABLAPL is disposed of accordingly.
6. Urgent certified copy of this order be granted as per rules.

(A.K. Mohapatra)
Judge