

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.11890 of 2022

Chandramani Das

....

Petitioner

Mr. S.J. Mohanty, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. S. Mishra, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

18.10.2022

Order No.

I.A. No.1971 of 2022

- 02.
1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
 2. Heard learned counsel for the petitioner as well as learned counsel for the State.
 3. After disposal of the bail application bearing ABLAPL No.11890 of 2022, the present I.A. has been filed by the petitioner seeking modification of the conditions imposed by this Court by order dated 22.09.2022. In the said I.A., it has been stated that the petitioner is facing financial difficulties, therefore, he is not in a position to deposit the cash security of Rs.5,000/-(rupees five thousand) as has been imposed by this Court. It is further stated that unless the imposition cash security as well as conditions for verification of criminal antecedents is waived, it would not be possible on the part of the petitioner to be released on pre-arrest bail pursuant to the order dated 22.09.2022.

4. Considering the submissions made by learned counsel for the petitioner as well as arguments advanced by the learned counsel for the State while opposing the above noted I.I. application, this Court deems it proper to modify the order dated 22.09.2022 to the extent that the condition imposed by this Court that:-

- I. Furnishing cash security of Rs.5,000/-(rupees five thousand); and
- II. Verification of similar criminal antecedents of the petitioner stands waived.

However, the release of the petitioner pursuant to the order dated 22.09.2022 on bail shall be subject to the following conditions:-

- I. The petitioner shall cooperate with the investigation and appear before the Investigating Officer as and when required for purpose of investigation;
- II. he shall not involve in similar nature of criminal antecedents while on bail;
- III. he shall appear before the concerned Police Station once in a week preferably on 'Sunday' in between 10.00 A.M. to 1.00 P.M. for a period of eight weeks and thereafter, once in a month till conclusion of trial;
- IV. he shall not threaten, harass and terrorize the informant and her /his family members in any manner whatsoever;
- V. he shall appear before court in seisin over the matter on each date of posting without fail.

Violation of any of the terms and conditions shall entail

cancellation of bail.

5. In view of the aforesaid modification, four weeks' further time from today is extended for the petitioner to surrender before the learned court below, vide order dated 22.09.2022 passed in ABLAPL No.11890 of 2022, but subject to depositing cost of Rs.500/- (Rupees five hundred) in the Advocates' Welfare Fund of Orissa High Court Bar Association within fifteen days and furnishing money receipt thereof in proof of deposit.

6. It is made clear that, if the cost is not deposited within the stipulated time, time extended for the petitioner to surrender shall stand revoked automatically.

7. The ABLAPL is accordingly disposed of.

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

