

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.11938 of 2022

***Budha Palei @ Pramod Kishor
Palei***

.... ***Petitioner***
Mr. Amitav Tripathy, Advocate

-versus-

State of Odisha

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

**CORAM:
JUSTICE A.K.MOHAPATRA**

**ORDER
22.09.2022**

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 Section 379, I.P.C. read with Sections 63 & 65 of Copyright Act, 1957.
4. Considering the nature 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., Nayagarh in G.R. Case No.635 of 2022 corresponding to Nayagarh Sadar P.S. Case No.145 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.

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. as and when required;
- (ii) He shall not indulge in committing similar offence to the present nature, while on bail.

Violation of any of the conditions shall entail cancellation of bail of the Petitioner.

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

(A.K. Mohapatra)
Judge