

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.12002 of 2022

Tapan Kumar Acharya

Petitioner

....

Mr. J.K.Bala, Advocate

-versus-

State of Odisha

....

Opposite Party

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

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

**ORDER
23.09.2022**

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioner, learned Addl. Standing Counsel for the State. Perused the records.
3. This is an application under Section 438, Cr.P.C. filed by the Petitioner for anticipatory bail, involving offence punishable under Sections 8(1)(a)(ii) of the Inter State Migrant Workman (RE & CS) Act, 1979.
4. It is submitted that the alleged offence is bailable in nature. Further, learned counsel for the Petitioner submits that due to lack of information he could not appear, as a result of which N.B.W. was issued. Further, the Petitioner undertakes that in the event he is released on bail he will appear and cooperate with the trial on each and every date fixed.

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 S.D.J.M., Boudh in 2(C) C.C.No.01 of 2006 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 trial court on each and every date fixed and cooperate with the trial.
- (ii) The Petitioner shall not indulge in similar nature of offence while on bail.

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