

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.12136 of 2022

Gobinda @ Sushanta Nayak **Petitioner**
Mr. Manas Kumar Chand, Advocate

-versus-

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

CORAM:
JUSTICE A.K.MOHAPATRA

ORDER
24.09.2022

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 294-A/385/509, I.P.C. and Sections 66-E/67/67-A of the I.T. Act.
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 J.M.F.C., Banpur in G.R. Case No.338 of 2022 corresponding to Banpur P.S. Case No.372 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. If it is found that there is more than one criminal antecedent of similar nature against the present Petitioner, then this bail order shall stand revoked automatically.

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

- (i) The Petitioner shall cooperate with the Investigation by appearing before the I.O. as and when required;
- (ii) He shall not indulge in any other offence of similar nature to the present case in any manner, while on bail.
- (iii) He shall not threaten, terrorise, ill-treat or harass the Informant and her family members including the prosecution witnesses in any manner whatsoever, 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