

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.12313 of 2022

Bikash Sethi

....

Petitioner

Mr. Suryakanta Dwibedi, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. Sitikant Mishra, A.S.C.

CORAM:

JUSTICE A.K.MOHAPATRA

ORDER

26.09.2022

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 392, I.P.C. and Section 27 of Arms 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., Kantamal in C.T. Case No.200 of 2022 corresponding to Manamunda P.S. Case No.127 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 the Petitioner

furnishing cash security of Rs.2,000/- (Rupees Two Thousand) to the satisfaction of learned court in seisin over the matter.

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 learned trial court on each date fixed for trial, without fail.
- (iii) He shall not indulge in any other offence of similar nature in any manner again, while on bail.
- (iv) He shall not threaten, terrorise or harass the informant and his family members or any of 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