

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.12578 of 2022

Prakash Kumar Das

....

Petitioner

Mr. Pradipta Beura, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. M.K. Mohanty, A.S.C.

CORAM:

JUSTICE A.K.MOHAPATRA

ORDER

29.09.2022

Order No.

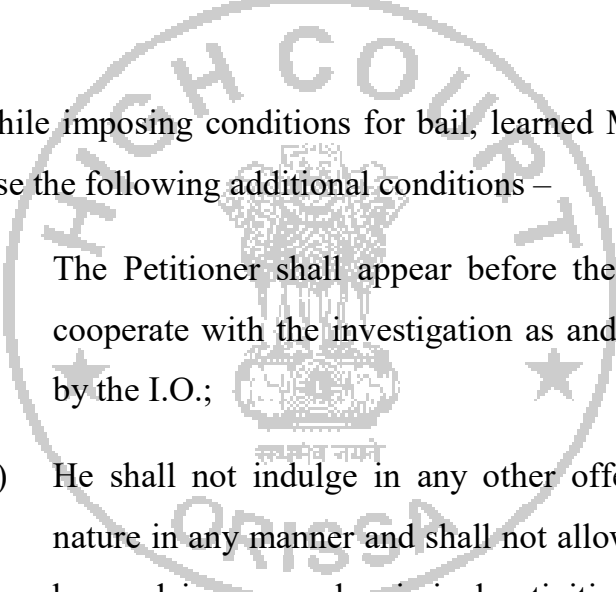
01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioner and learned Addl. Standing Counsel for the State.
3. This is an application under Section 438, Cr.P.C. filed by the Petitioner for anticipatory bail, involving offence punishable under Sections 186/294/379/353/506/34, I.P.C.
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., Tigiria in C.T. Case No.174 of 2022 corresponding to Tigiria P.S. Case No.181 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 the Criminal

Antecedents of the Petitioner. If it is found that there is more than one criminal antecedent of similar nature against the Petitioner, then this bail order shall stand automatically revoked.

However, release of the Petitioner shall be further subject to furnishing cash security of Rs.5,000/- (Rupees Five Thousand) to the satisfaction of the learned court in seisin over the matter.

The Case Diary and Criminal Antecedent Report of the Petitioner be made available to the learned Magistrate for consideration of the bail application of the Petitioner on the date of surrender.

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

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- (i) The Petitioner shall appear before the I.O. and shall cooperate with the investigation as and when required by the I.O.;
 - (ii) He shall not indulge in any other offence of similar nature in any manner and shall not allow his vehicle to be used in any such criminal activities again, 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