

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.12711 of 2022

Om Prakash @ Papu

Petitioner

....
Mr.Samvit Mohanty, Advocate

-versus-

State of Odisha

.... ***Opposite Party***

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

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

ORDER

17.10.2022

Order No.

- 2 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 419,420 of the Indian Penal Code.
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.(P), Kujang in G.R.Case No.434 of 2016 arising out of Paradeep Lock P.S.Case No.86 of 2016 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 furnishing a cash

security of Rs.30,000/- (Rupees Thirty thousand) which shall be kept in any Nationalised Bank in an interest bearing account in the name of the court in seisin over the matter.

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 personally or through his lawyer as would be the requirement;
- (ii) He shall not tamper with the prosecution evidence in any manner, while on bail;
- (iii) He shall not threaten, influence or terrorise the prosecution witnesses in any manner whatsoever while on bail;
- (iv) He 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.

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

(A.K. Mohapatra)
Judge