

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.12733 of 2022

Himanshu Mohanty

....

Petitioner

Mr. Satyabrata Mohanty, Advocate

-versus-

State of Odisha

....

Opposite Party

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

CORAM:

JUSTICE A.K.MOHAPATRA

ORDER

30.09.2022

Order No.

01. 1. This matter was not in today's board. On being mentioned by the counsel for the Petitioner on the ground of urgency, the same is taken up by special notice.
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.
4. The Petitioner is seeking pre-arrest bail in connection with Khurda Model P.S. Case No.453 of 2022 corresponding to G.R. Case No.1529 of 2022 pending in the Court of learned S.D.J.M., Khurda, for commission of offence punishable under Sections 147/148/341/353/332/333/294/354/379/506/149, I.P.C.
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., Khurda in the aforesaid G.R. Case, 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.

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

- (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 threaten, terrorise, ill-treat or harass the informant and her family members including the prosecution witnesses in any manner whatsoever, while on bail.
- (iii) He shall not indulge in any other offence of similar nature to the present case in any manner, while on bail.
- (iv) He shall appear before the learned trial court on each and every date fixed for trial, without fail.

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