

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.12811 of 2022

Priyaranjan Behuray

....

Petitioner

Mr. Sambit Samal, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. P.C. Das, A.S.C.

Mr. B. Paramguru, Adv. for Informant

CORAM:

JUSTICE A.K.MOHAPATRA

ORDER

17.10.2022

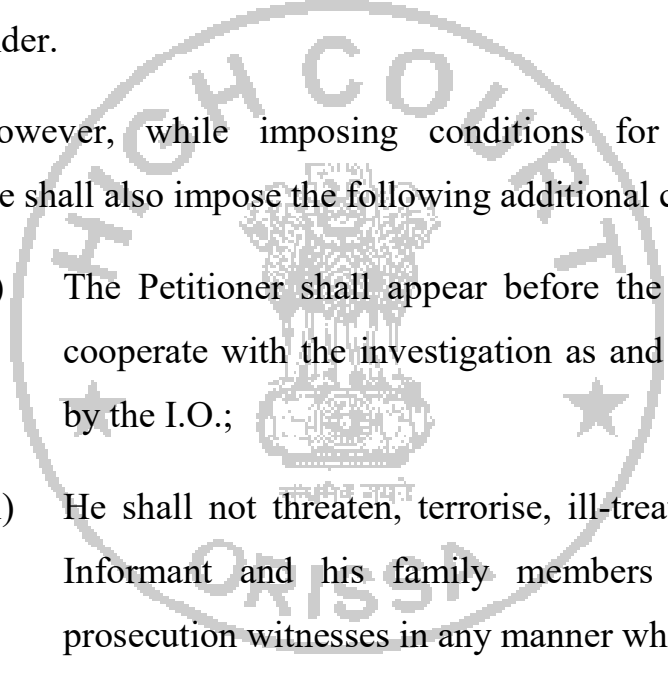
Order No.

02. 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 and learned counsel for the Informant.
3. This is an application under Section 438, Cr.P.C. filed by the Petitioner for anticipatory bail, involving offence punishable under Sections 323/341/506/307/420/120-B/34, I.P.C. and Sections 25 & 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 NGN, Ghasipura in I.C.C. no.21 of 2022 corresponding to Ghasipura P.S. Case No.168 of 2022 within a period of three weeks from today,

he shall be released on bail on such terms and conditions as the learned NGN 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.

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 his surrender.

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 his family members including the prosecution witnesses in any manner whatsoever.
 - (iii) He shall appear before the learned trial court on each date fixed for trial, without fail.

Violation of any of the conditions shall entail cancellation of bail of the Petitioner.

5. Liberty is given to the Informant to move application before the learned court below in the event he gets further threatening or

misbehave from the Petitioner, and in such event the learned court below shall proceed against the Petitioner in accordance with law.

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

(A.K. Mohapatra)
Judge

S.K.Parida

