

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.12965 of 2022

***Biswaranjan Majhi @ Babuna @
Babul***

.... ***Petitioner***
Mr. R.N. Biswal, Advocate

-versus-

State of Odisha

.... ***Opposite Party***
Mr. Shashanka Patra, A.S.C.

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

**ORDER
12.10.2022**

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 354/354-A/341/323/294/506/34, 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. (City), Cuttack in G.R. Case No.1303 of 2022 corresponding to Mangalabag P.S. Case No.247 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.

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

(A.K. Mohapatra)
Judge

S.K.Parida