

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.12991 of 2022

Sonu Kumar Jena

....

Petitioner

Mr. Smruti Ranjan Rout, 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 379/34, I.P.C. and Section 15(2)(4) of P.D. & P.P. Act, 1984.
4. It is submitted by learned counsel for the Petitioner that the Petitioner has been implicated in this case on the basis of co-accused statement. Further, on query made by this Court regarding criminal antecedents of this Petitioner, learned counsel for the Petitioner submits that the present petitioner has been implicated in other similar cases on the basis of co-accused statement.

5. Considering such submission, 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., Hindol in G.R. Case No.177 of 2021 corresponding to Rasol P.S. Case No.53 of 2021 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 cash security of Rs.5,000/- (five thousand) to the satisfaction of the learned court in seisin over the matter.

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

- (i) The Petitioner shall cooperate with the investigation and shall appear before the I.O. for the purpose of investigation, as and when required;
- (ii) He shall not indulge in any other offence of similar nature in any manner again, while on bail.

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