

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.13164 of 2022

Bidyadhar Palai @ Palei @ Papuni ***Petitioner***

Mr. Arijeet Mishra, Advocate

-versus-

State of Odisha

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

Mr. Sitikant Mishra, A.S.C.

Ms. Krishna Panda, Adv. for Informant

CORAM:

JUSTICE A.K.MOHAPATRA

ORDER

14.10.2022

Order No.

01. 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 341/448/323/354-A/506, 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., Jajpur Road in C.T. Case No.1307 of 2022 corresponding to Korei P.S. Case No.327 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, but subject to furnishing cash security of Rs.5,000/- (Rupees Five Thousand) by the Petitioner 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 whatsoever, while on bail.
- (iii) 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;
- (iv) He shall appear before the I.I.C. of Korei P.S. once in every week till submission of charge-sheet and thereafter he shall appear before the said I.I.C. once in every fortnight till conclusion of the trial.

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