

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.13329 of 2022

Ashok @ Ishak Mahananda *Petitioner*
Mr. S. K. Dwivedi, Advocate
-versus-
State of Odisha *Opp. Party*
Mr. P.C. Das, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

30.01.2023

I.A. No.79 of 2023

Order No.

- 02.
1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
 2. Heard learned counsel for the petitioner and learned counsel for the State.
 3. This I.A. has been filed by the Petitioner for modification of the order dated 18.10.2022.
 4. It is submitted by learned counsel for the petitioner that the ABLAPL No.13329 of 2022 was disposed of by order dated 18.10.2022 granting anticipatory bail to the petitioner but in the 9th line of paragraph-4 of the order dated 18.10.2022, it has been written that the petitioner has any criminal antecedents of similar nature, this bail order shall not given effect to. It is further submitted by learned counsel for the Petitioner that at the time of surrender of the Petitioner, it is found that the Petitioner has more than two criminal antecedents of similar nature. Hence, modification has been prayed for.
 5. Accordingly, it is directed that in the 9th line of paragraph-4 of

the order dated 18.10.2022 the words “Petitioner has more than two criminal antecedents” be inserted after the words “petitioner” besides the terms and conditions of the order dated 18.10.2022 along with the following condition :-

- I. The Petitioner shall furnish cash security of Rs.15,000/- (rupees fifteen thousand) before the learned court below, which shall be kept in interest bearing account in any Nationalized Bank till final outcome of the trial. Rest part of the order shall remain intact.

6. Four weeks’ further time from today is extended for the Petitioner to surrender before the learned court below, vide order dated 18.10.2022 passed in ABLAPL No.13329 of 2022, but subject to depositing cost of Rs.1000/- (Rupees one thousand) in the Advocates’ Welfare Fund of Orissa High Court Bar Association within fifteen days and furnishing money receipt thereof in proof of deposit.

7. It is made clear that, if the cost is not deposited within the stipulated time, time extended for the Petitioner to surrender shall stand revoked automatically.

8. The I.A. is disposed of accordingly.

Urgent certified copy of this order be granted on proper application.

(A.K. Mohapatra)
Judge