

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.13408 of 2022

Hemanta Kumar Mahanta ***Petitioner***
Mr. Priya Ranjan Singh, Advocate

-versus-

State of Odisha ***Opposite Party***
Mr. M.K. Mohanty, A.S.C.

CORAM:
JUSTICE A.K.MOHAPATRA

ORDER
19.10.2022

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 368/471/420/379/411/34, I.P.C. and Section 21 of MMDR 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 S.D.J.M., Keonjhar in G.R. Case No.1998 of 2022 corresponding to Turumunga P.S. Case No.150 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.10,000/- (Rupees Ten Thousand) by the Petitioner to the satisfaction of learned court in seisin over the matter. The aforesaid amount shall be kept in an interest bearing account of any nationalized bank and that amount shall be subject to the final outcome of the trial.

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 indulge in any crime of similar nature to the present case and shall not allow his vehicle to be used in such type of offence in any manner, while on bail.
- (iii) He shall appear before the trial court on each and every date of the 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