

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No. 13484 of 2022

***Padma @ Padma Charan Swain and
others***

Petitioners
Mr. S.K. Mahanty, Advocate

-versus-

State of Odisha

....

Opposite Party
Mr. P.C. Das, ASC

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

**ORDER
07.07.2023**

I.A. No.1001 of 2023

Order No.

02. 1. This matter is taken up through Hybrid Arrangement (Virtual/Physical Mode).
2. This interlocutory application has been filed by the Petitioner No.3 for modification of the condition imposed in paragraph-6 of the order dated 20.10.2022 passed by this Court in the aforesaid bail application.
3. Heard learned counsel for the Petitioner No.3.
4. It is submitted by the learned counsel for the Petitioner No.3 that so far Petitioner No.3 is concerned, this Court had imposed condition with regard to verification of criminal antecedent, but at the time of surrender, it is found that the Petitioner No.3 has two other criminal antecedents.

5. Considering such submission, the condition imposed in paragraph-6 of the order dated 20.10.2022 is modified to the extent that in the event it is found that the Petitioner No.3 has more than two criminal antecedents, then the order dated 20.10.2022 shall not be given effect to. Further, the release of the Petitioner No.3 shall also be subject to furnishing a cash security of Rs.5,000/- (Rupees five thousand) before the Court in seisin over the matter which shall be kept in interest bearing fixed deposit account in the name of the court in any nationalized bank and renewed from time to time till disposal of the case. The said deposit shall be subject to the outcome of the trial.

6. In view of the aforesaid modification, the time to surrender of the Petitioner No.3 before the Court in seisin over the matter is extended by another four weeks from today subject to Petitioner No.3 depositing a sum of Rs.500/- (Rupees five hundred) in the Advocates' Welfare Fund of the Orissa High Court Bar Association within fifteen days hence and furnishing money receipt thereof in proof of deposit.

7. I.A. is disposed of accordingly.

8. Issue urgent certified copy as per rules.

(A.K. Mohapatra)
Judge

Signature Not Verified

Digitally Signed
Signed by: DEBASIS AECH
Designation: PA
Reason: Authentication
Location: OHC CUTTACK
Date: 10-Jul-2023 19:41:06

