

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.13498 of 2022

Raghunath Jena @ Bulu Jena

.... ***Petitioner***
Mr. P.K. Jena, Advocate

-versus-

State of Odisha

.... ***Opp. Party***
Mr. M.K. Mohanty, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

20.10.2022

Order No.

- 01.
1. This matter is taken up through Hybrid Arrangement (Virtual/Physical Mode).
 2. Heard learned counsel for the petitioner and learned Additional Standing Counsel for the State.
 3. This is an application under Section 438, Cr.P.C. filed by the petitioner for anticipatory bail.
 4. The petitioner is seeking pre-arrest bail in connection with C.T. Case No.379 of 2022, arising out of Basta P.S. Case No.136 of 2022 pending in the court of learned J.M.F.C., Basta for commission of offences punishable under Sections 448/354-A/354-B/323/427/379/294/506/34, I.P.C.
 5. It is submitted by learned counsel for the petitioner and the informant are neighbor each other. It is further submitted by learned counsel for the petitioner that there is a civil dispute between the parties as a result shuffled took place between the two families. Accordingly, the present case has been lodged against the petitioner by the informant. It is also submitted that the petitioner does not

have any criminal antecedents of similar nature.

6. Considering the nature of allegation, gravity of offence and the fact of the case, I am not inclined to grant anticipatory bail to the petitioner. However, it is directed that in the event the petitioner surrenders and moves an application for bail before the learned court in seisin over the matter within a period of three weeks from today in the aforesaid case, he shall be released on bail on such terms and conditions as would be deemed just and proper with further conditions that :-

- I. The petitioner shall cooperate with the Investigating Officer as and when required for the purpose of investigation; and
- II. he shall not indulge in similar criminal activities while on bail;

Violation of any of the terms and conditions shall entail cancellation of bail.

7. It is further directed that the bail granted to the petitioner is subject to the condition that learned court below shall verify whether the petitioner has any criminal antecedents of similar nature. In the event it is found that the petitioner has any criminal antecedents of similar nature, this bail order shall automatically stand revoked.

8. Accordingly, the ABLAPL is disposed of.

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

(A.K. Mohapatra)
Judge

