

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.13540 of 2022

***Basanta Baral @ Basanta Kumar
Baral***

Petitioner

....

Mr.A.S.Paul, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr.S.Mishra, A.S.C.

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

ORDER

21.10.2022

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. Perused the records.
3. This is an application under Section 438, Cr.P.C. filed by the Petitioner for anticipatory bail, involving offence punishable under Sections 379, 411/34 of the Indian Penal Code read with Section 51(1) of OMMC Rules, 2004.
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., Khurda in G.R.Case No.1420 of 202 arising out of Bolagarh P.S.Case No.215 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 verification of criminal antecedents.

While imposing conditions for bail, learned Magistrate shall also impose the following additional conditions –

- (i) The Petitioner shall cooperate with the investigation and appear before the I.O. as and when required.;
- (ii) He shall not indulge in similar nature of offence while on bail.
- (iii) He shall not allow his vehicle to be used in similar nature of offence while on bail.

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