

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.13565 of 2022

Sudhakar Baral

....

Petitioner

Mr. A.S. Paul, Advocate

-versus-

State of Odisha

....

Opp. Party

Mr. S. Patra, 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 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 G.R. Case No.1057 of 2022, arising out of Bolagarh P.S. Case No.167 of 2022 pending in the court of learned S.D.J.M., Khurda for commission of offences punishable under Sections 379/411/34, I.P.C. read with Section 51(1) of OMMC Rules, 2004.
5. 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 default in attendance of the court during trial on each date of posting.

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

6. Further, it is directed that the petitioner shall give an undertaking before the learned court below that while releasing on bail, he will ensure that the vehicle will not involve in similar nature of offences failing which this order shall stand automatically revoked.

7. Accordingly, the ABLAPL is disposed of.

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

(A.K. Mohapatra)
Judge