

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.14293 of 2022

Basudev Malbishoyi

....

Petitioner

Mr. Ramdas Achary, Advocate

-versus-

State of Odisha

....

Opp. Party

Mr. M.K. Mohanty, ASC

CORAM:

JUSTICE CHITTARANJAN DASH

ORDER

25.11.2022

Order No.

02.

1. Heard learned counsel for the Petitioner and the State.
2. This is an application for bail U/s.438 Cr.P.C. filed by the Petitioner in anticipation of arrest for his alleged involvement in the offences U/s.381 IPC.
3. Learned counsel for the Petitioner submits that at the instance of the present Petitioner in W.P.(C) No.17311 of 2022 this court ordered protection not to be disturbed in the functioning but the present F.I.R. has been foisted to counter to the said order. It is further submitted that the Petitioner is ready to cooperate with the Authority and the investigating agency as and when required.
4. Keeping in view the submission of the parties, the nature of allegations, the circumstances appearing, the seriousness and gravity of the offences, while this Court is not inclined to grant the

anticipatory bail, it is directed that in the event the Petitioner surrenders in connection with Badagada P.S. Case No.364 of 2022 corresponding to C.T. Case No.6326 of 2022 pending in the court of learned S.D.J.M., Bhubaneswar within a period of two weeks' hence and moves for bail, he shall be released on such terms and conditions as would be deemed just and proper by the said court with further conditions that he shall appear in person before the court below on each date of posting of the case unless specifically exempted by the court concerned ; he shall appear before the IO as and when required; shall not tamper the evidence in any manner whatsoever; shall appear before the authorities in connection with the recovery of files as and when called and shall cooperate with the investigation. Violation of any of the terms and condition shall entail cancellation of the bail on the report of the authority before the learned court in seisin over the matter on examination.

5. The ABLAPL is disposed of.

(Chittaranjan Dash)
Judge