

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.14419 of 2022

***Siba Khara @ Shiba @ Shiba
Shankar***

Petitioner
....
Mr. J.K. Khuntia, Advocate

-versus-

State of Odisha

Opposite Party
....
Mr. Shashanka Patra, A.S.C.

**CORAM:
JUSTICE CHITTARANJAN DASH**

**ORDER
18.11.2022**

Order No.

- 01.
1. Heard the learned counsel for the Petitioner and the State.
 2. By means of this application U/s.438 Cr.P.C., the Petitioner seeks the grant of bail in apprehension of arrest for his alleged involvement in the offences U/s. 294/323/506/395/149, I.P.C., in connection with Kakiriguma P.S. Case No.95 of 2022 corresponding to G.R. Case No.366 of 2022 pending in the Court of learned J.M.F.C., Laxmipur.
 3. Regard being had to the facts and submission of the parties, the nature of allegations as emerged from the materials on record, seriousness and gravity of the offence, it is directed that in the event the Petitioner surrenders and moves for bail before the learned J.M.F.C., Laxmipur in the aforesaid G.R. Case within a period of three weeks hence, he shall be admitted to bail on such terms and conditions as would be deemed just and proper by the said court,

but subject to verification of criminal antecedents of the Petitioner. In case more than one criminal antecedent is found against the Petitioner, the bail order shall not be given effect to and the court would be free to deal with the application in accordance with law. However, if the learned court in seisin over the matter proposes to grant the bail, shall also impose the following further conditions –

- (i) The Petitioner shall appear before the I.O. and shall cooperate with the investigation, as and when required;
- (ii) He shall also appear before the trial court on each date of trial, without fail, till conclusion of the trial.
- (iii) He shall not threaten, terrorise, ill-treat or harass the Informant and his family members including the prosecution witnesses in any manner and shall not try to tamper with the prosecution evidence in any manner whatsoever, while on bail.
- (iv) Violation of any of the conditions, as above, shall entail cancellation of the bail automatically.

4. The ABLAPL is disposed of accordingly.

(Chittaranjan Dash)
Judge

S.K. Parida