

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.14568 of 2022

Jayanta Kumar Tarai

....

Petitioner

Mr. S.K. Dwibedi, Advocate

-versus-

State of Odisha

....

Opp. Party

Mr. Debasis Biswal, ASC

CORAM:

JUSTICE CHITTARANJAN DASH

ORDER

29.11.2022

Order No.

01.

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.294/341/323/307/34 IPC.
3. Learned counsel for the Petitioner submits that the Petitioner does not have criminal antecedent.
4. Keeping in view the above, 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 Berhampur Town P.S. Case No.312 of 2022 corresponding to G.R. Case No.2557 of 2022 pending in the court of learned S.D.J.M., Berhampur 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 with the further conditions that he shall appear before the IO as and when required, shall not threaten or intimidate the Informant party in any manner whatsoever and shall cooperate with the investigation; shall not indulge in any other similar offence in any manner whatsoever while on bail. Violation of any of the conditions shall entail cancellation of bail of the Petitioner.

5. It is made clear that the learned court below shall verify the criminal antecedent of the Petitioner, if necessary, by admitting the Petitioner to bail provisionally till the information is received and in case more than one antecedent is noticed, the order of this Court shall not be given effect to and the court shall be free to deal with the matter of bail according to its merit without further reference to the present.

6. The ABLAPL is disposed of.

(Chittaranjan Dash)
Judge