

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.14714 of 2022

Subash Minz

Petitioner
....
Mr. N. Das, Advocate

-versus-

State of Odisha

Opp. Party
....
Mr. D. Biswal, ASC.

**CORAM:
JUSTICE CHITTARANJAN DASH**

Order No.

**ORDER
01.12.2022**

01. 1. Heard learned counsel for the Petitioner and learned counsel for the State.
2. This is an application for bail U/s.438 Cr.P.C. filed by the Petitioner in apprehension of arrest for his alleged involvement in the offences U/s. 452/307/294/323/354(A)/354(B)/376/313/506 of IPC
3. Learned counsel for the Petitioner drew the attention of this Court to various inconsistencies and discrepancies appearing in the complaint filed by the complainant after two years of the cause of action. The aforesaid inconsistencies and discrepancies and other anomalies in the complaint while cannot be brushed aside at this side but to wait for the trial, for the present it obviously goes to the advantage of the Petitioner for being considered their liberty in affirmative.

4. Keeping in view the submission of the parties, the nature of allegations as emerged from the materials on record, the circumstances appearing, the seriousness and gravity of the offences, there, while this court is not inclined to grant the anticipatory bail, it is directed that in the event the Petitioner surrenders and moves for bail in connection with G.R Case No.1745 of 2022 arising out of Talsara P.S. Case No.227 of 2022 pending in the court of learned S.D.J.M., Sundargarh within a period of three weeks' from today, he shall be allowed to go on bail on such terms and conditions as would be deemed just and proper by the said court with further conditions that the Petitioner shall appear in person before the learned court below on each date of posting of the case with further condition as follows:

- (i). The Petitioner shall cooperate with the investigation and appear before the I.O. as and when required by the I.O;
- (ii). He shall not indulge in criminal activities while on bail.

Violation of any of the conditions shall entail cancellation of bail of the Petitioner.

5. The ABLAPL is disposed of accordingly.

(Chittaranjan Dash)
Judge

B.K Sahoo