

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No. 14996 of 2022

Sankarsan Malik

....

Petitioner

Mr. S. K. Jena, Advocate

-versus-

State of Odisha

....

Opp. Party

Mr. Debasis Biswal, ASC

CORAM:

JUSTICE CHITTARANJAN DASH

Order No.

ORDER
12.12.2022

- 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 apprehension of arrest for his alleged involvement in the offences U/s.498(A)/376/294/506/34 IPC.
 3. It is submitted by learned counsel for the Petitioner that in the narration made in the FIR, the offence under section 376 is not made out.
 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, it is directed that in the event the Petitioner surrenders and moves for bail in connection with Binjharpur P.S. Case No.601 of 2022 corresponding to C.T. Case No.2336 of 2022 pending in the court of learned S.D.J.M., Jajpur within a period of three weeks hence and move for bail, he shall be released on such terms and conditions as would be deemed just and proper by the said court.

However, if the learned court allows the Petitioner to go on bail, then the following further conditions shall be imposed:-

- (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 tamper with the prosecution evidence in any manner whatsoever;
- (iv) he shall not indulge in any other crime of similar nature or otherwise to the present case, in any manner whatsoever, while on bail.

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

5. The ABLAPL is disposed of accordingly.

(Chittaranjan Dash)
Judge

B.K Sahoo/AKPradhan