

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No. 15009 of 2022

Kalandi Malik

....

Petitioner

Mr. S.J Mohanty, Advocate

-versus-

State of Odisha

....

Opp. Party

Mr. Debasis Biswal, ASC

CORAM:

JUSTICE CHITTARANJAN DASH

ORDER

12.12.2022

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 apprehension of arrest for his alleged involvement in the offences U/s. 341/294/326/506 of IPC.
3. It is submitted by the learned counsel for the Petitioner that there is no injury sustained by the Informant and he has no criminal antecedent.
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 Balichandrapur P.S. Case No.378 of 2022 corresponding to C.T. Case No.1759 of 2022 pending in the court of learned Civil Judge-Cum-J.M.F.C., Chandikhole 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, but subject to verification of the injury report.

5. If the injuries are found to be grievous in nature, this bail order shall not be given effect to. 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 in case no final form is furnished;
- (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, terrorize, ill-treat or harass the Informant and his family members including the prosecution witnesses in any manner and shall not tamper with the prosecution evidence in any manner whatsoever and
- (iv) he shall not indulge in any other crime of similar nature to the present case, in any manner whatsoever, while on bail.

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

6. The ABLAPL is disposed of accordingly.

(Chittaranjan Dash)
Judge