

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.15078 of 2022

Rama Krushna Maharana

....

Petitioner

Mr. Satya Shiva Dash, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. M.K. Mohanty, A.S.C.

CORAM:

JUSTICE CHITTARANJAN DASH

ORDER

13.12.2022

Order No.

01.

1. Heard the learned counsels for the Petitioner and the State.
2. By means of this application, the Petitioner seeks grant of bail U/s.438 Cr.P.C. in apprehension of arrest for his alleged involvement in the offences U/s. 341/294/307/506/34, I.P.C. in connection with Jarada P.S. Case No.344 of 2022 corresponding to G.R. Case No.449 of 2022 pending in the court of learned J.M.F.C., Patrapur.
3. Considering the submission of the learned counsel for the Petitioner, nature of allegations, the circumstances appearing and the seriousness and gravity of the offences, while this court is not inclined to grant anticipatory bail, however it is directed that, in the event the Petitioner surrenders and moves for bail before the learned J.M.F.C., Patrapur in the aforesaid G.R. Case 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, but subject to verification of Criminal Antecedents of the Petitioners and the injury if not found grievous.

4. If it is found that there is more than one antecedent to the credit of the Petitioner or the injuries to be grievous, this order shall not be given effect to. However, if the learned Magistrate is satisfied that there is not more than one criminal antecedent and the injuries to be not grievous in nature and admits the Petitioner to bail, the following further conditions be imposed –

- (i) The Petitioner shall appear before the I.O. and shall cooperate with the investigation as and when required;
- (ii) He shall appear in person before the trial court on each date of posting of the case, unless specifically exempted by the court concerned.
- (iii) He shall not threaten, intimidate, terrorise, 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, while on bail.
- (iv) Violation of any of the conditions shall entail cancellation of bail of the Petitioner.

5. The ABLAPL is disposed of accordingly.

(Chittaranjan Dash)
Judge

S.K. Parida