

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No. 15149 of 2022

Kamala Kanta Sahoo

....

Petitioner

Mr. H. Mohapatra, Advocate

-versus-

State of Odisha

....

Opp. Party

Mr. D. Biswal, ASC

CORAM:

JUSTICE CHITTARANJAN DASH

ORDER

14.12.2022

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. 341/294/323/324/354/354(B)/188/452/506/34 of IPC.
3. Learned counsel for the Petitioner submits that the present dispute is pursuant to the dispute between the parties concerning landed property and Civil Suit is now pending before the Civil Judge, Puri.
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 Satyabadi P.S. Case No.326 of 2022 corresponding to G.R. Case No.2436 of 2022 pending in the

court of learned S.D.J.M., Puri 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 and criminal antecedent of the Petitioner.

5. If the injuries are found to be grievous in nature and there appears more than one criminal antecedent standing to the credit of the Petitioner, 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;
- (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, intimidate or terrorize the Informant and her family members;
- (iv) he shall not tamper with the prosecution evidence in any manner whatsoever;
- (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