

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No. 15157 of 2022

Silu Mohapatra @ Dipak Raul

Petitioner

Mr. D. K. Das, 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. 341/294/323/307/506 of IPC.
3. Learned counsel for the Petitioner submits that no offence has been made out against the Petitioner. He further submits that the dispute has been amicably settled between the parties.
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 Ramachandi P.S. Case No.63 of 2022 corresponding to G.R. Case No.420 of 2022 pending in the court of learned J.M.F.C., Konark 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 but subject to cash deposit of ₹5000.00 (Rupees Five Thousand only) in the manner to be directed by the court to its satisfaction.

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 in any manner whatsoever;
- (iv) he shall not tamper with the prosecution evidence in any manner whatsoever and
- (v) 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