

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No. 15491 of 2022

Sumit Kumar Mishra

....

Petitioner

Mr. Dhirendra Kumar Mohapatra,
Advocate

-versus-

State of Odisha

....

Opp. Party

Mr. Manoj Kumar Mohanty, ASC

**CORAM:
JUSTICE CHITTARANJAN DASH**

**ORDER
19.12.2022**

Order No.

01. 1. Heard learned counsel for the Petitioners 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. 341/294/323/379/506/34 of IPC.
3. Learned counsel for the Petitioner submits that the present Petitioner is a student and he has been falsely been implicated in this case.
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 Dharuadihi P.S. Case No.95 of 2022 corresponding to G.R. Case No.1315 of 2022 pending in the court of learned SDJM, Sundargarh within a period of three weeks hence and he shall be released on such terms and conditions as

would be deemed just and proper by the said court subject to cash deposit of ₹2500.00 (Rupees Two Thousand and Five Hundred) in the manner to be directed by the court to its satisfaction. However, the release of the Petitioner shall be subject to the following further conditions:-

- (i) The Petitioner shall appear before the I.O. and 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;
- (iv) he shall not tamper with the prosecution evidence in any manner whatsoever;
- (v) he shall not indulge in any other crime of similar nature or otherwise to the present case, in any manner whatsoever, while on bail and
- (vi) violation of any of the conditions shall entail cancellation of bail.

5. It is made clear that the learned court below shall verify the criminal antecedent of the Petitioner. In case more than one antecedent is noticed, the order of this Court shall not be given effect to and the court shall be free to deal with matter of bail according to its merit without further reference to the present.

6. The ABLAPL is disposed of accordingly.

(Chittaranjan Dash)
Judge