

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.15510 of 2022

Kalia Kishan

....

Petitioner

Mr. Partha Sarathi Das, Advocate

-versus-

State of Odisha

....

Opposite Party

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

CORAM:

JUSTICE CHITTARANJAN DASH

Order No.

ORDER
19.12.2022

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.341/294/323/332/353/354/307/379/506/34, I.P.C., in connection with Telkoi P.S. Case No.192 of 2022 corresponding to G.R. Case No.188 of 2022 pending in the court of learned J.M.F.C., Telkoi.
3. Having regard to the facts and submissions, and having gone through the nature of allegations as emerged from the materials on record, further the circumstances appearing, the seriousness and gravity of the offences, while this court is not inclined to grant anticipatory bail, it is directed that in the event the Petitioner surrenders and moves for bail before the learned J.M.F.C., Telkoi 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 the Criminal Antecedents of the Petitioner.

4. If it is found that there is more than one criminal antecedent standing to the credit of the Petitioner and/or the injury sustained is grievous, this order shall not be given effect to. However, if the learned Magistrate allows the Petitioner to bail, 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 not threaten, intimidate, terrorise, ill-treat or harass the Informant party as well as the prosecution witnesses and shall not tamper with the prosecution evidence in any manner whatsoever, while on bail.
- (iii) The Petitioner shall give an undertaking to the effect that he shall not sabotage the place of incident and the functioning of the police in any manner in connection with the raid conducted in his house against the manufacturing and selling of liquor.
- (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