

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL NO.15563 OF 2022

Sukhlal Hembrom

.... ***Petitioner***

Mr.P.R. Singh, Advocate

-versus-

State of Odisha

.... ***Opposite Party***

Mr.Samaresh Jena, ASC.

CORAM:

MR. JUSTICE D.DASH

ORDER

20.12.2022

Order No.

01. 1. This matter is taken up through hybrid arrangement (virtual/ physical) mode.
2. The Petitioner having been implicated in connection with Rugudi P.S. Case No.76 of 2022 corresponding to G.R. Case No.734 of 2022 for alleged commission of offence under section-407/420 of the IPC, pending on the file of learned J.M.F.C., Barbil, has filed this application under section-438 of the Cr.P.C. for his grant of anticipatory bail in the event of his arrest in the above mentioned case.
3. Heard learned Counsel for the Petitioner and learned Counsel for the State.
4. Considering the submissions and on going through the seriousness of the allegation, gravity of the offence and the facts of the case, although I am not inclined to grant anticipatory bail to the Petitioner, however it is observed that, in the event the Petitioner surrenders and moves for bail before the Court in seisin of the abovementioned case within a period of three weeks from today, he shall be released on bail on such terms and conditions as the learned Magistrate may deem just and proper in the facts and circumstances of the case, but subject to verification of the criminal antecedents of the Petitioner. If it is found that there is more than

one Criminal Antecedent of similar nature against the Petitioner, then this bail order shall stand automatically revoked.

The case diary and criminal antecedent report of the Petitioner be made available to the learned Magistrate for consideration of the bail application of the Petitioner on the date of his surrender.

However, while imposing conditions for bail learned Magistrate shall also impose the following additional conditions:-

- (i) The Petitioner shall appear before the I.O. and shall cooperate with the investigation as and when required by the I.O.
- (ii) He shall also appear before trial Court on each date of fixed for trial, without fail.

Violation of any of the conditions shall entail cancellation of bail of the Petitioner.

4. The ABLAPL is accordingly disposed of.
Issue urgent certified copy as per rules.

**(D. Dash),
Judge.**

Narayan