

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.15741 of 2022

Umakanta Mirddha @ Pintu

....

Petitioner

Mr. Suryakanta Dwibedi, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. Debasish Biswal, A.S.C.

CORAM:

JUSTICE CHITTARANJAN DASH

ORDER

20.12.2022

Order No.

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. 379/34, I.P.C. in connection with Titilagarh P.S. Case No.305 of 2021 corresponding to G.R. Case No.382 of 2021 pending in the court of learned S.D.J.M., Titilagarh.
3. Learned counsel for the Petitioner submits that the present Petitioner has no other criminal antecedent to his credit except the present case.
4. Considering the submission of the learned counsel for the Petitioner, nature of allegations, 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 S.D.J.M., Titilagarh 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 Criminal Antecedents of the Petitioner. If it is found that there is more than one antecedent to the credit of the present Petitioner, this order shall not be given effect to. However, if the learned Magistrate is satisfied that there is not more than one criminal antecedent and admits the Petitioner to bail, the following further conditions 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 in person before the trial court on each date of posting of the case unless specifically exempted by the court concerned.
- (iii) He shall not involve in any other offence of similar nature to the present case in any manner while on bail.
- (iv) He shall give an undertaking to the court that he shall not be seen within 500 meters radius of the occurrence area in any circumstance whatsoever, while on bail.
- (v) Violation of any of the conditions shall entail cancellation of bail of the Petitioner.

5. The ABLAPL is disposed of accordingly.

(Chittaranjan Dash)
Judge