

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No. 15769 of 2022

Mithun Prusty

....

Petitioner

Mr. B.S. Mishra (3), Advocate

-versus-

State of Odisha

....

Opp. Party

Mr. M.K. Mohanty, ASC

**CORAM:
JUSTICE CHITTARANJAN DASH**

ORDER

20.12.2022

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. 341/294/323/506/307 of IPC.
 3. Learned counsel for the Petitioner submits that the present Petitioner does not have any criminal antecedent and he has been falsely implicated in this case. He further submits that the Informant neither suffered any injury nor admitted in any hospital for treatment.
 4. Learned counsel for the State vehemently opposed the prayer for anticipatory bail of the Petitioner.
 5. 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 Puri Town P.S. Case No. 385 of 2022 corresponding to G.R. Case No.2544 of 2022 pending in the court of learned S.D.J.M., Puri within a period of three weeks hence and he shall be admitted to go on bail on such terms and conditions as would be deemed just and proper by the said court subject to verification of antecedent.

6. If the court notice more than antecedent and/or injury to be grievous the order of this court shall not be given effect to and the court shall proceed according to law. However, if the court does not find antecedent or injury as above and desires to admit the petitioner to bail shall subject the following further conditions:-

- (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 or terrorize the Informant and family;
- (iii) he shall not tamper with the prosecution evidence in any manner whatsoever and
- (iv) 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.

7. The ABLAPL is disposed of accordingly.

(Chittaranjan Dash)
Judge