

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.15843 of 2022

Prakash Parida @ Pupa

.... ***Petitioner***
Mr. H.B. Dash, Advocate

-versus-

State of Odisha

.... ***Opp. Party***
Mr. S.N. Das, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

21.12.2022

Order No.

- 01.
1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
 2. Heard learned counsel for the petitioner and learned Additional Standing Counsel for the State.
 3. This is an application under Section 438, Cr.P.C. filed by the Petitioner for anticipatory bail, involving offence punishable under Sections 294/506/34, I.P.C. and Sections 25 & 27 of Arms Act.
 4. It is submitted by learned counsel for the petitioner that on similar footing with the present petitioner, another co-accused has already been released on bail by this Court by order dated 06.09.2022 in ABLAPL No.10602 of 2022. It is further submitted by learned counsel for the petitioner that the petitioner does not have any criminal antecedents.
 5. Considering 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 learned

J.M.F.C. (City), Cuttack in G.R. Case No.247 of 2021 corresponding to Chauliaganj P.S. Case No.87 of 2021 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 Criminal Antecedents of the Petitioner. In the event 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.

While imposing conditions for bail, learned Magistrate shall also impose the following additional conditions –

- (i) The Petitioner shall not threaten, terrorise, ill-treat or harass the Informant and his family members in any manner whatsoever;
- (ii) He shall appear before the I.O. and shall cooperate with the investigation as and when required.

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

6. The ABLAPL is disposed of accordingly.

Urgent certified copy of this order be granted on proper application.

(A.K. Mohapatra)
Judge