

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.15866 of 2022

Balabhadra Behera

....

Petitioner

Mr. C. Rout, Advocate

-versus-

State of Odisha

....

Opp. Party

Mr. P.K. Rout, AGA

**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 appearing for the Petitioner and learned Additional Government Advocate appearing for the State-Opposite Party.
 3. The Petitioner is seeking pre-arrest bail in connection with Kanhia P.S. Case No.299 of 2022, corresponding to G.R. Case No.2668 of 2022, pending in the Court of learned S.D.J.M., Talcher, registered for alleged commission of offences punishable under Sections 379/34 of the I.P.C.
 4. Considering the nature of allegation, gravity of offence and the fact of the case, I am not inclined to grant pre-arrest bail to the Petitioner. However, it is directed that in the event the Petitioner surrenders and moves an application for bail before the Court in seisin over the matter within a period of three weeks from today in the aforesaid case, the Court in seisin over the matter shall release him on bail on such terms and conditions as it would be deemed just and proper including the condition that the Petitioner shall furnish

cash security of Rs.3,000/- (rupees three thousand) before the Court in seisin over the matter, shall not involve in similar type of offences and shall not allow to use his vehicle in such type of offence. Violation of any of the conditions shall entail cancellation of bail of the Petitioner automatically.

5. It is further directed that the bail granted to the Petitioner is subject to the condition that learned court below shall verify whether the Petitioner has any criminal antecedent of similar nature. In the event it is found that the Petitioner has more than one criminal antecedent of similar nature, this bail order shall not be given effect to. Case diary along with the criminal antecedents be made available on the date of surrender of the Petitioner before the leaned court below.

6. Accordingly, the ABLAPL is disposed of.

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

