

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.15868 of 2022

Pravat Jena

....

Petitioner

Mr. S.K. Mishra, 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 Mancheswar P.S. Case No.386 of 2022, corresponding to C.T. Case No.6349 of 2022, pending in the Court of learned S.D.J.M., Bhubaneswar, registered for alleged commission of offences punishable under Sections 294/323/307/379/427/34 of the I.P.C.
 4. Learned counsel for the Petitioner submits that although the Petitioner is not named in the F.I.R., the police searching him on the basis of the co-villager statement. He further submits that one of the co-accused, namely, Gudu has already been released on pre-arrest bail vide order passed by this Court in ABLAPL No.14123 of 2022 and the Petitioner has only one antecedent. As such, the Petitioner may be released on pre-arrest bail.
 5. 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.

6. 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.

7. Accordingly, the ABLAPL is disposed of.

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

(*A.K. Mohapatra*)
Judge