

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.15926 of 2022

Kishor Kumar Rout

.... ***Petitioner***
Mr. Arijeet Mishra, Advocate

-versus-

State of Odisha

.... ***Opposite Party***
Mr. Shashanka Patra, A.S.C.

**CORAM:
JUSTICE CHITTARANJAN DASH**

ORDER
21.12.2022

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 their alleged involvement in the offences U/s. 379/34, I.P.C. and Section 21 of the MMDR Act, in connection with Bhuban P.S. Case No.186 of 2019 corresponding to G.R. Case No.177 of 2019 pending in the court of learned J.M.F.C., Bhuban.
3. Learned counsel for the Petitioners submits that the present Petitioner has no other criminal antecedents to his credit except the present case.
4. Considering the submission of the learned counsel for the Petitioner, nature of allegations, the circumstances appearing and 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 J.M.F.C., Bhuban 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.

5. 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 against the Petitioner 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 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 give an undertaking that he shall not utilize his vehicle for the purpose of any such illegal activities of similar nature to the present case in any manner whatsoever, while on bail.
- (iv) Violation of any of the conditions shall entail cancellation of bail of the Petitioners.

6. The ABLAPL is disposed of accordingly.

(Chittaranjan Dash)
Judge

S.K. Parida