

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.16026 of 2022

Siba Das

.... ***Petitioner***
Mr. Ashok Das, Advocate

-versus-

State of Odisha

.... ***Opp. Party***
Mr. S.N. Das, ASC

CORAM:
JUSTICE A.K. MOHAPATRA

ORDER
22.12.2022

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 Standing Counsel appearing for the State-Opposite Party.
3. The Petitioner is seeking pre-arrest bail in connection with Digapahandi P.S. Case No.385 of 2022, corresponding to G.R. Case No.509 of 2022, pending in the Court of learned J.M.F.C., Digapahandi, registered for alleged commission of offence punishable under Section 395 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 observed 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.10,000/- (rupees ten thousand) before the Court

in seisin over the matter, shall not indulge in similar criminal activities while on bail and shall not threaten, harass or terrorize the informant and her family members in any manner whatsoever and also shall not enter into her premises. Violation of any of the terms and conditions shall entail cancellation of bail.

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 any criminal antecedent of similar nature, this bail order shall automatically stand revoked. Case diary along with the criminal antecedents be made available on the date of surrender of the Petitioner before the learned court below.

6. Accordingly, the ABLAPL is disposed of.

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

