

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.16062 of 2022

Shiba Prasad Bhol

Petitioner

....
Mr. Jayadeba Behera, Advocate

-versus-

State of Odisha

.... ***Opposite Party***

Mr. Sonak Mishra, A.S.C.

**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 for the Petitioner, learned Addl. Standing Counsel for the State. Perused the records.
3. This is an application under Section 438, Cr.P.C. filed by the Petitioner for anticipatory bail, involving offence punishable under Sections 279, 379, 411, 413, 427/34 of the Indian Penal Code.
4. 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., Chandbali in G.R. Case no.835 of 2022 Corresponding to Bansada P.S. Case No.381 of 2022 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 similar nature and subject to furnishing a cash security of Rs.10,000/- (Rupees Ten thousand) which shall be kept in any Nationalised Bank in an interest bearing account in the name of court in seisin over the matter. Case Diary and Criminal Antecedents be made available on the date of surrender before the court below.

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

- (i) The Petitioner shall not indulge in similar nature of offence and shall not allow his vehicle to be used in similar type of offence while on bail.
 - (ii) In the event it is found that the Petitioner is violating the condition, learned court below shall treat the order revoked and in that case he shall be taken into custody.
5. The ABLAPL is disposed of accordingly.
 6. Urgent certified copy of this order be granted as per rules.

(A.K. Mohapatra)
Judge