

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.16175 of 2022

Bishnu Banchhor

....

Petitioner

Mr. D.R. Mishra, Advocate

-versus-

State of Odisha

....

Opp. Party

Mr. M.K. Mohanty, ASC

CORAM:

JUSTICE CHITTARANJAN DASH

ORDER

22.12.2022

Order No.

01.

1. Heard learned counsel for the Petitioner and the State.
2. This is an application for bail U/s.438 Cr.P.C. filed by the Petitioner in apprehension of arrest for his alleged involvement in the offences U/s.379/34 IPC.
3. Learned counsel for the Petitioner submits that on the basis of the statement of the co-accused the present Petitioner has been arrayed. It is further submitted that the present Petitioner does not have any criminal antecedent to his credit.
4. Keeping in view of the nature of allegation, the circumstances appearing, 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 in connection with Ulunda P.S. Case No.151 of 2022 corresponding to G.R. Case No.446 of 2022

pending in the court of learned S.D.J.M., Birmaharajpur within a period of two weeks' hence and moves for bail, he shall be released on such terms and conditions as would be deemed just and proper by the said court with further conditions that he shall appear in person before the court below on each date of posting of the case unless specifically exempted by the court concerned; shall appear before the IO as and when required; shall not threaten or intimidate the Informant party in any manner whatsoever and shall cooperate with the investigation. Violation of any of the conditions shall entail cancellation of bail of the Petitioner.

5. It is made clear that the learned court below shall verify the criminal antecedent of the Petitioner. In case more than one antecedent is noticed, the order of this Court shall not be given effect to and the court shall be free to deal with the matter of bail according to its merit without further reference to the present.

6. The ABLAPL is disposed of.

(Chittaranjan Dash)
Judge

KC Bisoi