

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.16198 of 2022

Manoj Das

....

Petitioner

Mr. Jayakrishna Mohapatra, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. Debasish Biswal, A.S.C.

CORAM:

JUSTICE CHITTARANJAN DASH

ORDER

22.12.2022

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 his alleged involvement in the offences U/s. 379/411, I.P.C. in connection with Bansada P.S. Case No.389 of 2022 corresponding to G.R. Case No.911 of 2022 pending in the court of learned J.M.F.C., Chandbali.

3. Considering the submission of the learned counsel for the Petitioner, nature of allegations, 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. Chandbali 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 in respect to the Petitioner.

4. If it is found that there is more than one Criminal Antecedent of similar nature 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 not indulge in any other offence or criminal activities of similar nature to the present case in any manner whatever, while on bail.
- (iv) Violation of any of the conditions shall entail cancellation of bail of the Petitioners.

5. The ABLAPL is disposed of accordingly.

(Chittaranjan Dash)
Judge

S.K. Parida