

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No. 16401 of 2022

Chaitanya Meher

....

Petitioner

Mr. Sushanta Kumar Joshi, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. M. K. Mohanty, A.S.C.

CORAM:

JUSTICE CHITTARANJAN DASH

ORDER

23.12.2022

Order No.

- 01.
1. Heard the learned counsel for the Petitioner and the State.
 2. By means of this application, the Petitioner seek grant of bail U/s.438 Cr.P.C. in apprehension of arrest for his alleged involvement in the offences U/s. 370/374/420/34 of IPC read with section 25 of Inter State Migrant Workmen Act in connection with Titilagarh P.S. Case No.417 of 2022 corresponding to G.R. Case No. 503 of 2022 pending in the court of learned SDJM, Titilagarh.
 3. Learned counsel for the Petitioner submits that pursuant to the intervention from the labourers, who were about to move to Hyderabad city to engage as labourer in brick-kiln. The name of present Petitioner finds place, who instructed for their trafficking though the Petitioner was not present at the scene of occurrence.
 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 SDJM,

Titilagarh 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 and the injury if not found grievous.

5. If it is found that there is more than one antecedent to the credit of the present Petitioner or the injuries to be grievous, this order shall not be given effect to. However, if the learned Magistrate is satisfied that there is not more than one criminal antecedent of similar nature against the Petitioner and the injuries to be not grievous in nature 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) shall not tamper with the prosecution evidence in any manner whatsoever, while on bail.
- (iv) Violation of any of the conditions shall entail cancellation of bail of the Petitioner.

6. The ABLAPL is disposed of accordingly.

(Chittaranjan Dash)
Judge

AKPradhan