IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.13539 of 2024

A. Sushant Kumar Achary and others ..... ***Petitioners***

Represented By Adv. - Lambodor Achari

-versus-

State Of Odisha ..... ***Opposite Party***

Represented By Adv. – Mr. S.K. Parhi, ASC

CORAM:
THE HON'BLE MR. JUSTICE ADITYA KUMAR MOHAPATRA

ORDER
03.12.2024

Order No.

01. 1. This matter is taken up through Hybrid mode.

2. Heard learned counsel for the Petitioner and learned Additional Standing Counsel appearing for the Opposite Party-State.

3. The present application has been filed under Section 438 of Cr.P.C. by the Petitioner seeking pre-arrest bail in connection with Kabisuryanagar P.S. Case No.688 of 2024, corresponding to G.R. Case No.676 of 2024, pending in the court of learned J.M.F.C., Kabisuryanagar, for alleged commission of offences punishable under Sections 109(1), 115(2), 296, 3(5), 308(2), 316(2), 351(2) of

BNS.

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 directed that in the event the Petitioner surrender before the Court in seisin over the matter within a period of three weeks from today and move an application for bail, the Court in seisin over the matter shall release him on bail in connection with the aforesaid case on such terms and conditions as it may deem just and proper in the facts and circumstances of the case, but subject to verification of criminal antecedent of the Petitioners & injury report. In the event, the Petitioner is having any criminal antecedent and the injuries sustained by the injured are found grievous in nature, then this order stands automatically revoked.

5. The release of the Petitioner shall also be subject to following conditions:-

i) shall cooperate with the investigation and appear before the I.O. as and when his presence is required and shall cooperate with the early conclusion of the investigation;

ii) shall appear before the Trial Court on each and every date fixed without fail;

iii) shall not indulge in any similar criminal offence while on bail;

Violation of any of the terms and conditions shall entail

cancellation of bail.

6. Accordingly, the ABLAPL is disposed of.

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

(Aditya Kumar Mohapatra)
Judge

S.K. Rout

Signature Not Verified
Digitally Signed
Signed by: SANTANU KUMAR ROUT
Reason: Authentication
Location: High Court of Orissa, Cuttack
Date: 04-Dec-2024 11:19:55