

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.84 of 2022

Gopabandhu Ghadei and others *Petitioners*
Mr. P.K. Nayak, Advocate
-versus-
State of Odisha *Opp. Party*
Mr. S. Patra, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

25.07.2022

Order No.

- 02.
1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
 2. Heard learned counsel for the petitioners and learned Additional Standing Counsel for the State.
 3. This is an application under Section 438, Cr.P.C. filed by the petitioners for anticipatory bail.
 4. The petitioners are seeking pre-arrest bail in connection with G.R. Case No.2911 of 2021/SPL Case No.120 of 2021, arising out of Agarpada P.S. Case No.270 of 2021 pending in the court of learned Special Judge (POCSO) for commission of offence punishable under Sections 363/366/376(2)(n)/506/34, I.P.C. read with Section 6(1) of the POCSO Amendment Act, 2019.
 5. It is submitted by learned counsel for the petitioners that the principal accused has already been acquitted in this case and the petitioners have been falsely implicated in the present case.
 6. Considering the nature of allegation, gravity of offence and the fact of the case, I am not inclined to grant anticipatory bail to the

petitioners. However, it is directed that in the event the petitioners surrender before the learned court in seisin over the matter within a period of three weeks from today in the aforesaid case, they shall be released on bail on such terms and conditions as would be deemed just and proper with further condition that petitioner shall not harass, torture, threaten or terrorize the informant and his/her family members in any manner whatsoever and shall appear before the trial court on each date of posting without fail.

7. Accordingly, the ABLAPL is disposed of.

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

Jagabandhu

