

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.2048 of 2022

Rabi Narayan Panda and another ***Petitioners***
Mr. K.K. Dash, Advocate
-versus-
State of Odisha ***Opp. Party***
Mr. S. Patra, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER
12.08.2022

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.68 of 2021, arising out of Special Task Force, P.S. Case No.04 of 2021 pending in the court of learned J.M.F.C.(City), Cuttack for commission of offence punishable under Sections 379/411/120-B, I.P.C..
5. It is submitted by learned counsel for the petitioners that the petitioners do not have any criminal antecedents.
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.

7. Further, it is directed that the petitioners shall given an undertaking before the learned court below that while releasing on bail, they will not involve in similar nature of offences failing which this order shall automatically revoked.

Violation of any of the terms and conditions shall entail cancellation of bail.

8. It is further directed that the bail granted to the petitioners is subject to the condition that learned court below shall verify whether the petitioners have any criminal antecedents of similar nature. In the event it is found that the petitioners have any criminal antecedents of similar nature, this bail order shall automatically stand revoked.

9. Accordingly, the ABLAPL is disposed of.

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

(A.K. Mohapatra)
Judge