

**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**ABLAPL No.3665 of 2022**

***Susanta Jani & another*** ..... ***Petitioner***  
*Mr. Subodh Kumar Mohanty, Advocate*

*-versus-*

***State of Odisha*** ..... ***Opp. Party***  
*Mr.S.Mishra,A.S.C.*

**CORAM:**

**JUSTICE A.K. MOHAPATRA**

**ORDER**

**29.08.2022**

**Order No.**

- 03.
1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
  2. Heard learned counsel for the Petitioners and the learned Additional Standing Counsel. Perused the records.
  3. This is an application under Section 438 Cr.P.C. filed by the Petitioners for anticipatory bail.
  4. It is submitted by the learned counsel for the Petitioners that despite several adjournments, learned Additional Standing Counsel unable to produce the criminal antecedent of the Petitioner. Learned counsel for the Petitioner also submits that the Petitioner has no criminal antecedent.
  5. Considering the nature of allegations made, gravity of the offence and the facts 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 J.M.F.C., Dasapalla in 2(b) C.C.Case No.03 of 2022 arising out of Offence Report No.49/2021-22 within a period of three weeks from today and move for bail, they shall be released on bail on such terms and conditions as would be deemed just and proper subject to verification of criminal antecedent of similar nature against the Petitioner. In the event it is found that the Petitioner has criminal antecedent of similar nature, then this order shall stand revoked. It is open for the learned court below to proceed in accordance with law. The Petitioner shall not get involved himself in similar nature of offence.

6. Accordingly, the ABLAPL is disposed of.
7. Issue urgent certified copy of this order in course of the day.

