

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.3676 of 2022

Pramod Kumar Nayak & Others ***Petitioners***
Mr.Biswaranjan Maharatha, Advocate
-versus-
State of Odisha ***Opposite Party***
Mr. Shashank Patra, A.S.C.

CORAM:
JUSTICE A.K.MOHAPATRA

ORDER
22.08.2022

Order No.

02. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioners and learned Addl. Standing Counsel for the State.
3. This is an application under Section 438, Cr.P.C. filed by the Petitioners for anticipatory bail, involving offence punishable under Sections 294/323/417/493/506/313/109/34, I.P.C.
4. It is submitted by learned counsel for the Petitioners that, earlier the Petitioner was released on bail by this Court on his surrendering before the lower court. However, subsequently the police has added offences under Sections 313/109/34, I.P.C. Therefore the Petitioners have again approached this Court by filing the present bail application under Section 438, Cr.P.C.

Learned counsel for the Petitioners by filing an affidavit, further submits that both Petitioner No.1 and the Informant are now

staying together as husband and wife and they have amicably settled the matter between them.

4. Considering such submission, the nature of allegation, gravity of the offence and facts of the case, although I am not inclined to grant anticipatory bail to the Petitioners, however it is observed that, in the event the Petitioners surrender and move for bail before the learned S.D.J.M., Phulbani in G.R. Case No.728 of 2015 corresponding to Khajuripada P.S. Case No.112 of 2015 within a period of three weeks from today, they shall be released on bail on such terms and conditions as the learned Magistrate may deem just and proper in the facts and circumstances of the case, but subject to the condition that they shall not threaten, terrorise, ill-treat or harass the informant and her family members in any manner whatsoever, while on bail.

5. The ABLAPL is disposed of accordingly.

6. Urgent certified copy of this order be granted as per rules.

(A.K. Mohapatra)
Judge