

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.3690 of 2022

Bauribandhu Behera and others ***Petitioners***
Mr. B.B. Routray, Advocate

-versus-

State of Odisha ***Opp. Party***
Mr. S.K. Patra, A.S.C.
Mr. M.K. Mohapatra, Advocate for the
Informant

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 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.132 of 2022, arising out of Baideswar P.S. Case No.47 of 2022 pending in the court of learned S.D.J.M., Banki for commission of offence punishable under Sections 147/148/149/452/457/323/395/427/506, I.P.C.
 5. It is submitted by learned counsel for the petitioners that on similar footing with the present petitioners, another co-accused has already been released on bail by this Court by order dated 16.05.2022 in ABLAPL No.3435 of 2022. It is further submitted that due to political rivalry took place in Grama Panchayat election, the present case has

been foisted against the petitioners.

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 conditions that :-

- I. The petitioners shall not default in attendance of the court during trial on each date of posting while on bail;
- II. they shall cooperate with the Investigating Officer as and when required for the purpose of the investigation; and
- III. they shall not indulge any similar criminal activities while on bail.

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

7. Accordingly, the ABLAPL is disposed of.

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

(A.K. Mohapatra)
Judge