

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

**ABLAPL No.3755 of 2022**

***Babuchhua @ Asit Singh & Others*** .... ***Petitioners***  
*Mr. Amulya Ratna Panda, Advocate*

*-versus-*

***State of Odisha*** .... ***Opposite Party***  
*Mr. Shashank Patra, A.S.C.*

**CORAM:**  
**JUSTICE A.K.MOHAPATRA**

**ORDER**  
**23.08.2022**

**Order No.**

02. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioner and learned Addl. Standing Counsel for the State.
3. This is an application under Section 438, Cr.P.C. filed by the Petitioner for anticipatory bail, involving offence punishable under Sections 341/324/307/506/34, I.P.C. and Section 27 of Arms Act.
4. Considering the seriousness of the 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., Balasore in C.T. Case No.248 of 2022 corresponding to Sahadevkhunta P.S. Case No.75 of 2022 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 verification of the

Injury Report. If it is found that the injuries caused to the injured are grievous in nature, then this bail order shall stand automatically revoked.

While imposing conditions for bail, learned Magistrate shall also impose the following conditions –

- (i) The Petitioners shall not threaten, terrorise, ill-treat or harass the Informant and his family members in any manner whatsoever, while on bail.
  - (ii) They shall appear before the I.O. and shall cooperate with the investigation as and when required.
  - (iii) They shall also appear before the learned trial court on each date of trial, without fail.
  - (iv) Violation of any of the conditions shall entail cancellation of bail of the Petitioner.
5. The ABLAPL is disposed of accordingly.
6. Urgent certified copy of this order be granted as per rules.

**(A.K. Mohapatra)**  
**Judge**