

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.5781 of 2022

Rakesh Kumar Jena & Others ***Petitioners***
Mr. Satyabrata Mohanty, Advocate

-versus-

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

CORAM:
JUSTICE A.K.MOHAPATRA

ORDER
08.08.2022

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 341/323/307/506/34, I.P.C.
4. Learned counsel for the Petitioners submits that, injuries sustained by the victim are simple in nature.
5. Considering the nature 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 before the learned S.D.J.M., Angul in G.R. Case No.337 of 2022 corresponding to Industrial P.S. (NISA) Case No.70 of 2022 within a period of three weeks from today, the

Petitioners 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. In the event it is found that the injuries sustained by the victim are grievous in nature, then this bail order shall stand automatically revoked.

Further, while imposing conditions for bail, learned Magistrate shall also impose conditions that the Petitioners shall not threaten, terrorise, influence, ill-treat or harass the Informant, his family members or the prosecution witnesses in any manner whatsoever.

Violation of any of the conditions shall entail cancellation of the bail of the Petitioners.

6. The ABLAPL is disposed of accordingly.
7. Urgent certified copy of this order be granted as per rules.

(A.K. Mohapatra)
Judge