

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No. 5829 of 2022

Bhagirathi Sahoo and others

***.... Petitioners
Ms. Aditi Hota, Advocate***

-versus-

State of Odisha

***.... Opposite Party
Mr. Arupa Nanda Das, AGA
Mr. B.P. Pradhan, Adv. for Informant***

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

**ORDER
17.06.2022**

Order No.

1. This matter is taken up through hybrid arrangement (virtual/physical mode).
2. Heard learned counsel for the Petitioners, learned counsel for the State and learned counsel for the Informant and perused the records.
3. This is an application under Section 438 Cr.P.C. filed by the Petitioners for anticipatory bail.
4. During course of hearing, learned counsel for the Petitioner submits that Petitioner No.2, namely, Premjit Behera has already been arrested and subsequently been released on bail in the meantime. In such view of the matter, the present bail application is confined to Petitioner Nos.1, 3 to 5 only.
5. Considering the nature and gravity of offences alleged against the Petitioner Nos.1, 3 to 5, I am not inclined to release the Petitioners on bail. However, this Court directs that in the event the

Petitioner Nos.1, 3 to 5 surrender before the S.D.J.M., Talcher in G.R. Case No.1025 of 2022, arising out of Talcher P.S. Case No.310 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 with a further condition that the Petitioners shall not enter into the Premises/Unit of the Informant in any way whatsoever and cause any sort of disturbance there.

6. It is further directed that in the event of release of the Petitioner Nos.1, 3 to 5, they shall not indulge in any offences, tamper with the evidence or threat to the prosecution witnesses and cooperate with the investigation.

7. This Court further observes that if the Petitioner Nos.1, 3 to 5 are found to have caused any disturbance or enter into the Premises/Unit of the Informant, this order shall automatically stand revoked and the learned Magistrate shall issue NBW of arrest against the accused Petitioners.

8. The ABLAPL is accordingly disposed of.

9. Issue urgent certified copy as per rules.

(A.K. Mohapatra)
Vacation Judge