

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.7451 of 2022

Bharati Das @ Behera & Others ***Petitioners***
Mr. Jyotirmaya Sahoo, Advocate

-versus-

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

CORAM:
JUSTICE A.K.MOHAPATRA

ORDER
20.07.2022

Order No.

01. 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 offences punishable under Sections 457/323/354/294/506/34, I.P.C.
4. Considering the nature of allegation, gravity of the offence and the facts of the case, 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 J.M.F.C., Khallikote in G.R. Case No.735 of 2022 corresponding to Khallikote P.S. Case No.309 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, subject to verification of the injury report. If it is found that the injuries sustained by the victim

are grievous in nature, then this bail order shall not be given effect to. Furthermore, while releasing the Petitioners on bail, the learned court in seisin over the matter shall impose the condition whereby the Petitioner shall be asked not to influence, terrorize or threaten the informant or his family members in any manner whatsoever. In the event of violation of the conditions imposed, the learned court below may take any coercive action against the Petitioners as per law.

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

(A.K. Mohapatra)
Judge



S.K.Parida