

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.7977 of 2022

Ajay Kumar Mohapatra & another ***Petitioners***
Mr. Debasis Panigrahi, Advocate

-versus-

State of Odisha ***Opposite Party***
Mr. M.K. Mohanty, A.S.C.

CORAM:
JUSTICE A.K.MOHAPATRA

ORDER
25.07.2022

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 342/366/376(2)(n), I.P.C.
4. It is submitted by learned counsel for the Petitioners that the principal accused namely Sushant Mohapatra has already been released on bail by the trial court. He further submits that the father of the principal accused namely Sagar Mohapatra has been released on bail by this Court. It is also submitted by him that the present Petitioner no.1 is the elder brother and Petitioner No.2 is the elder father of the principal accused. It is submitted that they had no role in the alleged crime.

5. Considering the nature of allegation, gravity of the offence and the facts of the case, though 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., Kanas in G.R. Case No.126 of 2022 corresponding to Jodapadar P.S. Case No.66 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.

7. The ABLAPL is disposed of accordingly.

8. Urgent certified copy of this order be granted as per rules.

(A.K. Mohapatra)
Judge

