

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.8157 of 2022

Pala Das and others

.... ***Petitioners***
Mr. J. Sahoo, Advocate

-versus-

State of Odisha

.... ***Opp. Party***
Mr. M.K. Mohanty, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

26.08.2022

Order No.

- 03.
1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
 2. Heard learned counsel for the petitioners and learned counsel for the State.
 3. This is an application under Section 438, Cr.P.C. filed by the petitioners for anticipatory bail.
 4. The petitioners are seeking pre-arrest bail in connection with G.R. Case No.616 of 2022, arising out of Rambha P.S. Case No.202 of 2022 pending in the court of learned J.M.F.C., Khallikote for commission of offence punishable under Sections 147/341/342/323/325/326/307/379/386/506/149, I.P.C. read with Sections 4 and 5 of the Prevention of Witch-hunting Act, 2013.
 5. It is submitted by learned counsel for the petitioners that the petitioners and the informant are belong to some village. Some of the villager got enrage to the black magic of the brother of the informant and cousin sister and also assaulted them tied up in a pole. However, when some persons of the said village arrived at the spot, the petitioners did not assault them.

6. Considering the nature of allegation, gravity of offence and the fact of the case, I am not inclined to grant anticipatory bail to the petitioners. However, it is directed that in the event the petitioners surrender and move an application for bail before the learned court in seisin over the matter within a period of three weeks from today in the aforesaid case, the petitioners shall be released on bail on such terms and conditions as would be deemed just and proper with further subject to condition that they shall furnish cash security of Rs.5,000/- (rupees five thousand) each besides other conditions would be imposed by the learned court below while releasing the petitioners on bail with further conditions that:-

- I. The petitioners shall cooperate with the Investigating Officer as and when required for the purpose of investigation;
- II. they shall not default in attendance of the court during trial on each date of posting.

Violation of any of the terms and conditions shall entail cancellation of bail.

8. Accordingly, the ABLAPL is disposed of.

Urgent certified copy of this order be granted on proper application.

(A.K. Mohapatra)
Judge