

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.8274 of 2022

Rohita Dora

....

Petitioner

Mr. Sachidananda Padhee, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. P.C. Das, A.S.C.

CORAM:

JUSTICE A.K.MOHAPATRA

ORDER

11.10.2022

Order No.

02. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioner and learned Addl. Standing Counsel for the State.
3. This is an application under Section 438, Cr.P.C. filed by the Petitioner for anticipatory bail, involving offence punishable under Sections 324/326/307/506/34, I.P.C.
4. Learned counsel for the Petitioner submits that most of the co-accused persons, who are standing in similar footing with the present Petitioner, have already been released on bail by this Court, vide ABLAPL No.8017 of 2022, ABLAPL No.7974 of 2022 and ABLAPL No.7973 of 2022.
5. Considering such submission and the facts of the case, although I am not inclined to grant anticipatory bail to the Petitioner, however it is observed that, in the event the Petitioner surrenders and

moves for bail before the learned S.D.J.M., Bolangir in G.R. Case No.936 of 2022 corresponding to Puintala P.S. Case No.141 of 2022 within a period of three weeks from today, he 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. If the injuries caused to the injured are found to be grievous in nature, then this bail order shall stand automatically revoked.

The Case Diary and the Injury Report be made available to the learned Magistrate for consideration of the bail application of the Petitioner on the date of his surrender.

However, while imposing conditions for bail, learned Magistrate shall also impose the following additional conditions –

- (i) The Petitioner shall appear before the I.O. and shall cooperate with the investigation as and when required by the I.O.;
- (ii) He shall not threaten, terrorise, ill-treat or harass the Informant and her family members including the prosecution witnesses in any manner whatsoever.

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

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

(A.K. Mohapatra)
Judge