

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.8316 of 2022

Hari Khora @ Khara and another ***Petitioners***
Mr. S. Dash, Advocate

-versus-

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

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

02.09.2022

Order No.

- 04.
1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
 2. Heard learned counsel for the petitioners and learned Additional Standing 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. No.880 of 2021, arising out of Damanjodi P.S. Case No.110 of 2021 pending in the court of learned S.D.J.M., Koraput for commission of offence punishable under Sections 286/324/326/337/ 338, I.P.C. read with Sections 3 and 4 of the Explosive Substance Act
 5. 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, they shall be released on bail on such terms and conditions as would be deemed just and proper with further conditions that:-

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

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

6. It is further directed that the bail granted to the petitioners is subject to the condition that learned court below shall verify whether injuries sustained by the injured are grievous in nature. In the event it is found that the injury is grievous in nature, this bail order shall automatically stand revoked.

7. Accordingly, the ABLAPL is disposed of.

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

(A.K. Mohapatra)
Judge