

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.8385 of 2022

Hara Sahu & another

.... ***Petitioners***
Mr. Amit Pattnaik, Advocate

-versus-

State of Odisha

.... ***Opposite Party***
Mr. P.K. Rout, A.G.A.

**CORAM:
JUSTICE A.K.MOHAPATRA**

ORDER
28.07.2022

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. Govt. Advocate 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 294/323/325/307/506/34, I.P.C.
4. It is submitted by learned counsel for the Petitioners that the allegation of assault comes against the principal accused Dibakar Sahu. So far as the present Petitioner is concerned, there is no allegation of assault against him; only he was present at the spot of occurrence and abusing the informant and his family members.
5. Considering the nature of allegation in the F.I.R., gravity of the offence and the facts of the case, although 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 S.D.J.M., Patnagarh in G.R. Case No.416 of 2022 corresponding to Larambha P.S. Case No.96 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. While imposing conditions, learned Magistrate shall also add the conditions whereby the Petitioner shall not threaten, terrorise or harass the informant or his family members in any manner whatsoever. Violation of any of the conditions shall entail cancellation of bail of the Petitioners.

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

(A.K. Mohapatra)
Judge