

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.8394 of 2022

Jubi @ Jobeda Begum and others ***Petitioners***
Mr. D.K. Sahoo, Advocate
-versus-
State of Odisha and another ***Opposite Parties***

Mr. S. Mishra, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER
18.10.2022

Order No.

I.A. No.1877 of 2022

- 02.
1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
 2. Heard learned counsel for the petitioners as well as learned counsel for the State.
 3. In view of the submissions made, the order dated 28.07.2022 is hereby recalled. Accordingly, the I.A. stands allowed.

(A.K. Mohapatra)
Judge

ABLAPL No.8394 of 2022

- 03.
4. Heard.
 5. The petitioner is seeking pre-arrest bail in connection with G.R. Case No.49 of 2022, arising out of Kendrapara Town P.S. Case No.114 of 2022 pending in the court of learned Additional Sessions

Judge-cum-Special Judge, Kendrapara for commission of offence punishable under Sections 147/148/341/323/294/457/427/354/354-A/379/149/506, I.P.C. read with Section 3 of the SC and ST (PoA) Act.

6. Considering the nature of allegation, gravity of offence and the facts 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, they shall be released on bail on such terms and conditions as would be deemed just and proper subject to condition that they shall furnish cash security of Rs.10,000/- (rupees ten thousand) each with further conditions that besides other conditions would be imposed by the learned court below while releasing the petitioner on bail with further conditions that :-

- I. The petitioner shall not be involved in any offence of similar nature;
- II. he shall not tamper with the prosecution evidence or try to threaten or influence the witnesses in any manner whatsoever;
- III. he shall not make any default in attending the court during trial on each date without fail; and
- IV. he shall appear before the concerned Police Station once in a fortnight preferably on 'Sunday' in between 10.00 A.M. to 1.00 P.M. till conclusion of trial.

Violation of any of the terms and conditions shall entail

cancellation of bail.

7. Four weeks' further time from today is extended for the petitioners to surrender before the learned court below, vide order dated 28.07.2022 passed in ABLAPL No.8394 of 2022, but subject to depositing cost of Rs.500/- (Rupees five hundred) in the Advocates' Welfare Fund of Orissa High Court Bar Association within fifteen days and furnishing money receipt thereof in proof of deposit.

8. It is made clear that, if the cost is not deposited within the stipulated time, time extended for the petitioners to surrender shall stand revoked automatically.

9. The ABLAPL is accordingly disposed of.

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

(*A.K. Mohapatra*)
Judge

Jagabandhu

