

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.8409 of 2022

Mahammad Sarafaraj & another ***Petitioners***
Mr. Susanta Sekhar Mohapatra, 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. On the basis of oral prayer, learned counsel for the Petitioners is allowed to make necessary correction in the bail application so far as the name of the Court is concerned.
3. Heard learned counsel for the Petitioners and learned Addl. Govt. Advocate for the State.
4. This is an application under Section 438, Cr.P.C. filed by the Petitioners for anticipatory bail, involving offences punishable under Sections 379/411/34, I.P.C.
5. Learned counsel for the Petitioners submits that the Petitioners do not have any criminal antecedent of similar nature of offence.
6. Considering the nature of allegation, 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., Hindol in G.R. Case No.390 of 2022 corresponding to Hindol P.S. Case No.118 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 add the conditions directing the Petitioners not to indulge again in similar nature of offence, while on bail. Violation of any of the conditions shall entail cancellation of bail of the Petitioners.

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

(A.K. Mohapatra)
Judge