

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.8728 of 2022

Jaru Jena @ Rajashree Jena and others ***Petitioners***

Mr. Biplab P.B. Bahali, Advocate
-versus-

State of Odisha

.... ***Opp. Party***
Mr. M.K. Mohanty, A.S.C.
Mr. S. Panda, Advocate for the
Informant

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

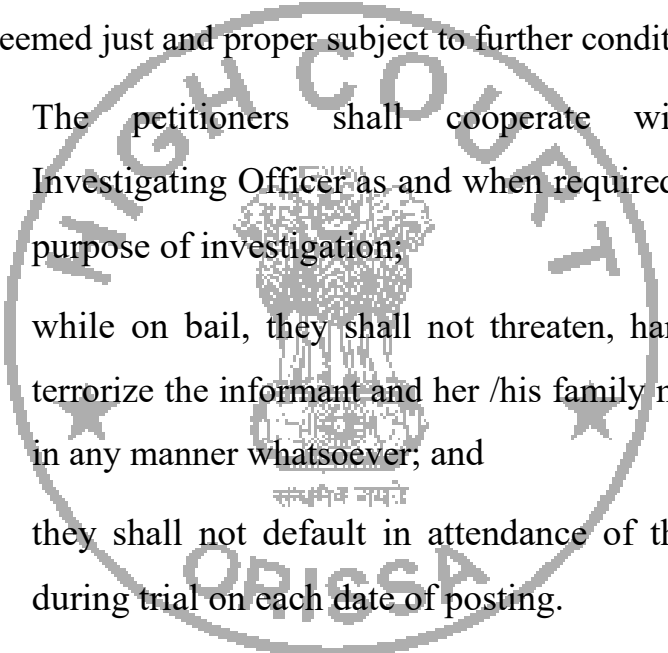
05.09.2022

Order No.

- 03.
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. Case No.1083 of 2022, arising out of Nuagaon P.S. Case No.156 of 2022 pending in the court of learned S.D.J.M., Jagatsinghpur for commission of offence punishable under Sections 448/294/323/325/307/379/506/34, I.P.C.
 5. It is submitted by learned counsel for the petitioners that there is a dispute between the parties with regard to property as a result of which both the groups sustained injuries. It is further submitted by learned counsel for the petitioners that there is case and counter case

between the parties. It is also submitted by learned counsel for the petitioners that some of the co-accused persons have already been released on bail by this Court in ABLAPL No.8697 of 2022 vide order dated 25.08.2022.

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, petitioners shall be released on bail on such terms and conditions as would be deemed just and proper subject to further conditions that :-

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- I. The petitioners shall cooperate with the Investigating Officer as and when required for the purpose of investigation;
 - II. while on bail, they shall not threaten, harass and terrorize the informant and her /his family members in any manner whatsoever; and
 - III. they shall not default in attendance of the court during trial on each date of posting.

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

7. Accordingly, the ABLAPL is disposed of.

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

(A.K. Mohapatra)
Judge