# IN THE HIGH COURT OF ORISSA AT CUTTACK

## ABLAPL No.8777 of 2022

***Shivam Sharma & Others*** .... ***Petitioners***

*Mr. Prashanta Kumar Nayak, Advocate*

*-versus-*

***State of Odisha*** .... ***Opposite Party***

*Mr. Shashank Patra, A.S.C.*

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

**ORDER**
**01.08.2022**

**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. Standing Counsel for the State.

3. This is an application under Section 438, Cr.P.C. filed by the Petitioners for anticipatory bail, involving offence punishable under Sections 341/294/325/307/323/506/34, I.P.C.

4. Considering the nature of allegation, gravity of the offence and 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.370 of 2022 corresponding to Khaparakhol P.S. Case No.76 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, but subject to verification of criminal antecedents of

similar nature against the Petitioners as well as subject to verification of the injury report. If it is found that there is more than two criminal antecedents of similar nature against the Petitioners, then this bail order shall not be given effect to. Similarly, if the injuries caused to the victim are found to be grievous in nature, then also this bail order shall not be given effect to.

5. The ABLAPL is disposed of accordingly.

6. Urgent certified copy of this order be granted as per rules.

***(A.K. Mohapatra)***
***Judge***

HIGH COURT
ORISSA

*S.K.Parida*