

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.8977 of 2022

***Madhusudan Pradhan @ Pratap &
Others***

.... ***Petitioners***

Mr. Surya Narayan Biswal, Advocate

-versus-

State of Odisha

.... ***Opposite Party***

Mr. Sitikant Mishra, A.S.C.

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

**ORDER
23.08.2022**

Order No.

02. 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 420/467/468/471/379/294/506/34.
4. It is submitted by learned counsel for the Petitioners that the Petitioners have not been named in the F.I.R. He further submits that one Umakanta Mohanty, Bishnupriya Mohanty and Jayanti Nayak are the principal accused in this case. So far as the present Petitioners are concerned, they have been implicated on the basis of 161, Cr.P.C. statement of one of the witnesses, who has stated that the Petitioners abused the Informant in filthy language.

5. Considering the seriousness of the 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 and move for bail before the learned J.M.F.C.-cum-Grama Nyayadhikari, Puri in G.R. (Gen) Case No.211 of 2022 corresponding to Puri Sadar P.S. Case No.126 of 2022 within a period of three weeks from today, they 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 the further following conditions –

(i) That, the Petitioners shall appear before the I.O. and shall cooperate in the investigation as and when required;

(ii) They shall also appear before the learned trial court on each date fixed for trial, without fail.

Violation of any of the conditions shall entail cancellation of bail of the Petitioner.

6. The ABLAPL is disposed of accordingly.

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

(A.K. Mohapatra)
Judge