

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.8982 of 2022

Sukadeba Patro & Others

....

Petitioners

Mr. Sujit Kumar Pattnaik, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. M.K. Mohanty, A.S.C.

CORAM:

JUSTICE A.K.MOHAPATRA

ORDER

03.08.2022

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 448/341/294/323/307/427/354-B/354-D/509/379/34, I.P.C. read with Section 12 of the POCSO Act.
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 Addl. Sessions Judge-cum-Special Judge, under POCSO Act, Berhampur corresponding to Bada Bazar P.S. Case No.178 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 Addl. Sessions Judge-cum-Special Judge,

under POCSO Act, Berhampur may deem just and proper in the facts and circumstances of the case, but subject to verification of Injury Report. If the injuries caused to the victim are found to be grievous in nature, then this bail order shall stand automatically revoked. Furthermore, while imposing conditions for bail, learned Special Judge shall also impose condition to the effect that the Petitioners shall not threaten, terrorise, ill-treat or harass the informant and his family members in any manner whatsoever. Violation of any of the conditions shall entail cancellation of the bail of the Petitioners.

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

(A.K. Mohapatra)
Judge

