

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.9756 of 2022

Umakanta Jena and another ***Petitioners***
Mr. J.K. Khuntia, Advocate

-versus-

State of Odisha ***Opp. Party***
Mr. S. Mishra, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

16.08.2022

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the petitioners and learned 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 C.T. Case No.140 of 2022, arising out of Basta P.S. Case No.53 of 2022 pending in the court of learned J.M.F.C., Basta for commission of offence punishable under Sections 341/354/354-D/509/294/34, I.P.C.
5. Considering the nature of allegation, gravity of offence and the fact of the case, I am not inclined to grant anticipatory bail to the petitioners. However, it is directed that in the event the petitioner surrender and move an application for bail before the learned court in seisin over the matter within a period of three weeks from today in the aforesaid case, they shall be released on bail on such terms and

conditions as would be deemed just and proper with further conditions that the petitioners shall not harass, torture, threaten, ill-treat or terrorize the informant and his/her family members in any manner whatsoever while on bail, they shall not default in attendance of the court on each date of posting and they shall appear before Police Station once in a fortnight preferably on 'Sunday' in between 10.00 A.M. to 1.00 P.M. till conclusion of the trial.

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

6. It is further directed that the bail granted to the petitioners is subject to the condition that learned court below shall verify whether the petitioners have any criminal antecedents. In the event it is found that the petitioners have any criminal antecedents indicated hereinabove, this bail order shall automatically stand revoked.

7. Accordingly, the ABLAPL is disposed of.

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

(*A.K. Mohapatra*)
Judge