

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.9885 of 2022

Narayan Roul and others

....

Petitioners

Mr.Chandan Samantray,Advocate

-versus-

State of Odisha

....

Opp. Party

Mr.S.Mishra,A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

29.08.2022

Order No.

- 02.
1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
 2. Heard learned counsel for the Petitioners and the learned Additional Standing Counsel. Perused the records.
 3. This is an application under Section 438 Cr.P.C. filed by the Petitioners for anticipatory bail.
 4. It is submitted by the learned counsel for the Petitioners that one Gopinath Roul is the principal accused against whom allegations have been made in the F.I.R. Further referring to the statement of the victim recorded under Section 164 Cr.P.C.,learned counsel for the Petitioner submits that the said principal accused has not kept any physical relationship with the victim. So far as the Petitioners are concerned, they are co-villages, neither they have been named in the F.I.R, nor they have played any role. At best it can be said that they

were fleeing away from the village.

5. Considering the nature of allegations made, gravity of the 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 before the learned Special Judge, POCSO, Balasore in Special (POCSO) Case No.130 of 2022 arising out of Baliapal P.S.Case No.108 of 2022 within a period of three weeks from today and move for bail, they shall be released on bail on such terms and conditions as would be deemed just and proper by the learned Magistrate.

6. Accordingly, the ABLAPL is disposed of.

7. Issue urgent certified copy of this order as per Rules.



RKS