

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.9904 of 2022

Raj Kumar Saraff & another ***Petitioners***
Mr. Trilochan Nanda, Advocate

-versus-

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

CORAM:
JUSTICE A.K.MOHAPATRA

ORDER
20.10.2022

Order No.

03. 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 420/467/468/471/34, I.P.C.
4. Learned counsel for the Petitioners submits that the Petitioners are alleged to have abused the Power of Attorney of the Informant and accordingly submitted the same before the Revenue Authority for disbursal of the compensation amount. He further submits that no such amount has been disbursed till now and the Petitioners have been falsely implicated in this case.
5. Learned counsel for the State on the other hand submits that although some documents have been submitted claiming the share of

the compensation amount, however, no such amount has been disbursed in favour of the petitioners.

6. Considering such submission, 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 S.D.J.M., Nuapada in C.T. Case No.455 of 2022 corresponding to Jonk P.S. Case No.177 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.

However, while imposing conditions for bail, learned Magistrate shall also impose the following additional conditions –

- (i) The Petitioners shall appear before the I.O. and shall cooperate with the investigation as and when required by the I.O.;
- (ii) They shall not threaten, terrorise, ill-treat or harass the Informant and his family members including the prosecution witnesses in any manner whatsoever.
- (iii) They shall not indulge again in any other criminal case of similar nature to the present case, in any manner, while on bail.
- (iv) They shall appear before the trial court on each date of the trial, without fail.

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

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

(A.K. Mohapatra)
Judge

S.K.Parida

