

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.9979 of 2022

Sipun Das @ Sweta Sagar Das and others ***Petitioners***

Mr. D. R. Parida, Advocate

-versus-

State of Odisha

.... ***Opp. Party***

Mr. S.K. Patra, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

22.08.2022

Order No.

- 01.
1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
 2. Learned counsel for the petitioners is permitted to make necessary correction so far as the name of the court is concerned in Court today.
 3. Heard learned counsel for the petitioners and learned Additional Standing Counsel for the State.
 4. This is an application under Section 438, Cr.P.C. filed by the petitioners for anticipatory bail.
 5. The petitioners are seeking pre-arrest bail in connection with G.R. Case No.761 of 2022, arising out of NALCO Township P.S. Case No.171 of 2022 pending in the court of learned J.M.F.C., Banarapal for commission of offence punishable under Sections 341/294/323/307/506/34, I.P.C.
 6. 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 petitioners surrender 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 cooperate with the Investigating Officer as and when required for the purpose of the investigation and they shall not harass, torture, threaten or terrorize the informant and his/her family members in any manner whatsoever while on bail.

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

7. 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 of similar nature. In the event it is found that the petitioners have any criminal antecedents of similar nature, this bail order shall automatically stand revoked.

8. It is further directed that the bail granted to the petitioners is subject to the condition that learned court below shall verify whether injuries sustained by the injured are grievous in nature. In the event it is found that the injury is grievous in nature, this bail order shall automatically stand revoked.

9. Accordingly, the ABLAPL is disposed of.

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

(A.K. Mohapatra)
Judge