

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.10092 of 2022

Mamata Naik & another

....

Petitioners

Mr. B.S. Dasparida, Advocate

-versus-

State of Odisha

....

Opposite Party

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

CORAM:

JUSTICE A.K.MOHAPATRA

ORDER

25.08.2022

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 294/323/307/506/34, I.P.C.
4. Considering the seriousness of the 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 and move for bail before the learned J.M.F.C., Banarpal in G.R. Case No.738 of 2022 corresponding to Banarpal P.S. Case No.253 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, but subject to verification of

criminal antecedents against the Petitioners as well as verification of Injury Report. If it is found that there is more than one criminal antecedent of similar nature against the Petitioners, then this bail order shall automatically stand revoked. Similarly, if the injuries caused to the injured are found to be serious in nature, then also this bail order shall stand automatically revoked.

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

(A.K. Mohapatra)
Judge



S.K.Parida