

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.10099 of 2022

Kanti Mirdha & Others

....

Petitioners

Mr. Kousik Anand Guru, 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 498-A/313/341/323/307/201/34, I.P.C.
4. Considering the 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., Sambalpur in G.R. Case No.2110 of 2022 corresponding to Katarbaga P.S. Case No.61 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.

While imposing conditions for bail, learned Magistrate shall also impose the following further conditions –

(i) That, the Petitioners shall not threaten, terrorise, ill-treat, harass the Informant and her family members in any manner and shall not tamper with the prosecution evidence in any manner whatsoever;

(ii) They shall appear before the I.O. and shall cooperate with the investigation as and when required.

(iii) They shall also appear before the learned trial court on each date fixed for trial, without fail.

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

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

(A.K. Mohapatra)
Judge