

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.10305 of 2022

Santosh Kumar Padhy and another ***Petitioners***
Mr. A.K. Choudhury, Advocate
-versus-

State of Odisha ***Opp. Party***
Mr. M.K. Mohanty, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

02.09.2022

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual/Physical Mode).
2. Heard learned counsel for the petitioners and learned Additional Standing Counsel for the State.
3. This is an application under Section 438, Cr.P.C. filed by the petitioners for anticipatory bail.
4. The petitioners are seeking pre-arrest bail in connection with G.R. Case No.335 of 2022, arising out of Balugaon P.S. Case No.162 of 2022 pending in the court of learned Civil Judge-cum-J.M.F.C., Chilika for commission of offence punishable under Sections 420/294/323/354/406/403/506/34, I.P.C.
5. It is submitted by learned counsel for the petitioners that so far as the present petitioners are concerned and there is no case made out under Sections 420 and 406, I.P.C. against the petitioners.
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 and move an application for bail 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 :-

- I. The petitioners shall cooperate with the Investigating Officer as and when required for the purpose of investigation; and
- II. they shall not default in attendance of the court during trial on each date of posting;

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

7. Accordingly, the ABLAPL is disposed of.

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

