

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.10374 of 2022

Sunil Naik & another

....

Petitioners

Mr.Arun Kumar Das, Advocate

-versus-

State of Odisha

....

Opp. Party

Mr.P.C.Das, A.S.C..

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

05.09.2022

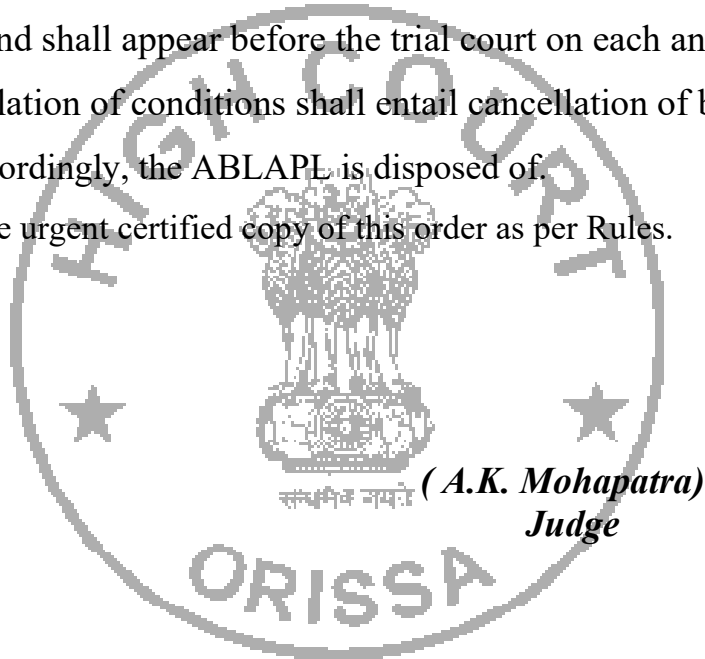
Order No.

01.

1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioners and the learned Additional Standing Counsel. Perused the records.
3. This is an application under Section 438 Cr.P.C. filed by the Petitioners for anticipatory bail.
4. It is submitted by the learned counsel for the Petitioners that the Petitioners are innocent persons and neither they were present at the spot nor they have any link in the incident. It is also submitted by the learned counsel for the Petitioners that the properties which has been alleged to have stolen by the Petitioners have not been named. He also submits that basing on the statement of the co-accused the Petitioner has been implicated and the co-accused has been released on bail by the learned court below.
5. Considering the nature of allegations made, gravity of the

offence and the facts of the case, I am not inclined to grant anticipatory bail to the Petitioner. However, it is directed that in the event the Petitioners surrender before the learned S.D.J.M., Dhenkanal in G.R.Case No.839 of 2022 arising out of Motanga P.S.Case No.150 of 2022 within a period of three weeks from today and move for bail, they shall be released on bail on such terms and conditions as would be deemed just and proper by the learned Magistrate with further condition that the Petitioners while on bail shall not indulge in similar nature of offence. They shall cooperate with the investigation and appear before the I.O. as and when required and shall appear before the trial court on each and every date fixed. Violation of conditions shall entail cancellation of bail.

6. Accordingly, the ABLAPL is disposed of.
7. Issue urgent certified copy of this order as per Rules.



(*A.K. Mohapatra*)
Judge

RKS