

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.10385 of 2022

Chahi Naik & another

....

Petitioner

Mr. Priya Ranjan Singh, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. Sitikant Mishra, 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 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 in a case involving offence punishable under Sections 376/420/506, I.P.C.
4. Learned counsel for the Petitioners submits that one Krushna Naik is the principal accused in this case, against whom there is allegation of commission of offence under Section 376(2)(n), I.P.C. along with other allied offences. So far as the present Petitioners are concerned, they are the mother and sister of the principal accused. He further submits that the principal accused has been arrested and released on bail in the meantime. So far as the present Petitioners are concerned, they have been implicated in this case for commission of

offence under Sections 506/294/323/34, I.P.C. as it is evident from the charge-sheet along with the bail application.

5. Considering such submission, the nature 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., Dhenkanal in G.R. Case No.1287 of 2020 corresponding to Kantabania P.S. Case No.109 of 2020 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.

6. The ABLAPL is disposed of accordingly.

7. Urgent certified copy of this order be granted as per rules.

(A.K. Mohapatra)
Judge