

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.10488 of 2022

Niranjan Singh & Others

....

Petitioners

Mr. Napoleon Sahani, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. Shashank Patra, A.S.C.

CORAM:

JUSTICE A.K.MOHAPATRA

ORDER

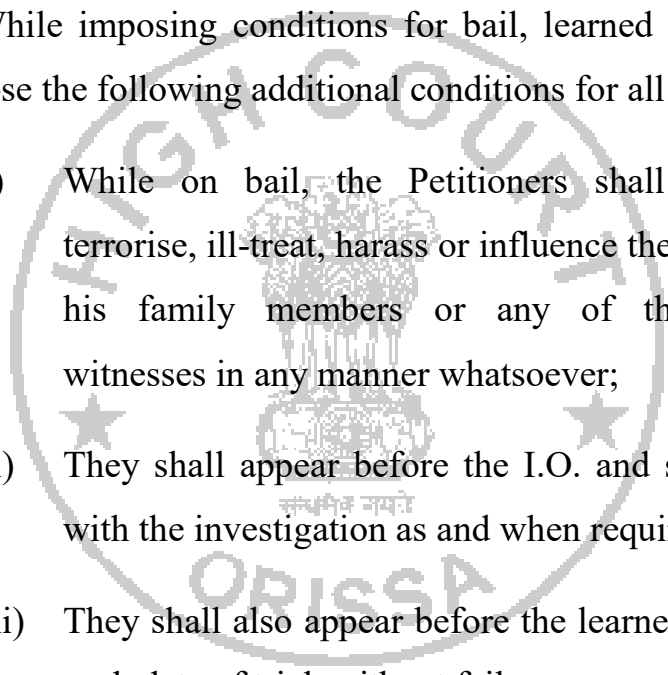
06.09.2022

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, involving offence punishable under Sections 341/294/323/307/148/149, 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 Petitioner Nos.1, 2 & 4 – namely Niranjan Singh, Ganesh Sabar and Bhima Sabar surrender and move for bail before the learned J.M.F.C., Pipili in G.R. Case No.607 of 2022 corresponding to Pipili P.S. Case No.413 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.

5. So far as Petitioner No.3 – Benu Das is concerned, in the event he surrenders and moves for bail before the learned J.M.F.C., Pipili in the aforesaid G.R. Case within a period of three weeks from today, he 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 Injury Report. In the event it is found that the injuries caused to the victim are grievous in nature, then this bail order in respect of Petitioner No.3 shall stand automatically revoked.

6. While imposing conditions for bail, learned Magistrate shall also impose the following additional conditions for all the Petitioners :

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- (i) While on bail, the Petitioners shall not threaten, terrorise, ill-treat, harass or influence the Informant and his family members or any of the prosecution witnesses 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 of trial, without fail.

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

7. The ABLAPL is disposed of accordingly.

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

(A.K. Mohapatra)
Judge