

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.10504 of 2022

Nrusingha Rout & another

....

Petitioners

Mr. Satyabrata Dash, 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 341/323/294/506/354/34, 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 J.M.F.C., Chandikhole in C.T. Case No.1308 of 2022 corresponding to Badachana P.S. Case No.241 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, but subject to verification of

criminal antecedent of the Petitioners. In the event it is found that there is more than one criminal antecedent against the Petitioners, then this bail order shall stand revoked automatically.

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

(i) That, the Petitioners shall not threaten, terrorise, ill-treat or harass the Informant and his family members as well as the prosecution witnesses in any manner whatsoever, while on bail by virtue of this order.

(ii) They shall cooperate in the investigation by appearing before the I.O. as and when required;

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

5. The ABLAPL is disposed of accordingly.

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

(A.K. Mohapatra)
Judge