

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.10682 of 2022

Bishnu Prasad Bal & Others ***Petitioners***
Mr. Amaresh Chandra Samal, Advocate

-versus-

State of Odisha ***Opposite Party***
Mr. Shashank Patra, A.S.C.

CORAM:
JUSTICE A.K.MOHAPATRA

ORDER
08.09.2022

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 452/294/354/506/34, 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.1324 of 2022 corresponding to Balichandrapur P.S. Case No.293 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

Injury Report as well as Criminal Antecedents of the Petitioners. If the injuries caused to the injured are found to be grievous in nature, then this bail order shall stand automatically revoked. Similarly, if it is found that there is more than one criminal antecedent of similar nature against the present Petitioners, then also this bail order shall stand revoked automatically.

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

- (i) 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 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.

- 5. The ABLAPL is disposed of accordingly.
- 6. Urgent certified copy of this order be granted as per rules.

(A.K. Mohapatra)
Judge