

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.10798 of 2022

Kalam Mahammad & Others ***Petitioners***
Mr. Sarbeswar Sahoo, Advocate

-versus-

State of Odisha ***Opposite Party***
Mr. M.K. Mohanty, A.S.C.

CORAM:
JUSTICE A.K.MOHAPATRA

ORDER
12.09.2022

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. On the basis of oral prayer, learned counsel for the Petitioners is allowed to carry out necessary corrections in the cause-title of the bail application in court today, so far as the G.R. Case number is concerned.
3. Heard learned counsel for the Petitioners and learned Addl. Standing Counsel for the State.
4. Petitioners are stated to be the in-law family members of the Informant. They have filed this application under Section 438, Cr.P.C. for anticipatory bail, involving offence punishable under Sections 498-A/448/323/294/354/379/506/34, I.P.C. and Section 4 of the D.P. Act.
5. 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., Pipili in G.R. Case No.653 of 2022 corresponding to Delanga P.S. Case No.232 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.

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

- (i) While on bail, the Petitioners shall not threaten, terrorise, ill-treat or harass the Informant and her family members and shall not try to tamper with the prosecution evidence in any manner whatsoever;
- (ii) They shall appear before the I.O. and shall cooperate with the investigation as and when required by the I.O.

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

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

(A.K. Mohapatra)
Judge