

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.11064 of 2022

Ramesh Sabar and another

....

Petitioners

Mr. Rakesh Ku. Das, Advocate

-versus-

State of Odisha

....

Opp. Party

Mr. M.K. Mohanty, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

13.09.2022

Order No.

- 01.
1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
 2. Heard learned counsel for the Petitioners and the learned Additional Standing Counsel. Perused the records.
 3. This is an application under Section 438 Cr.P.C. filed by the Petitioners for anticipatory bail.
 4. It is submitted by the learned counsel for the Petitioners that initially the mandatory provisions of Section 41-A of the Cr.P.C. has been complied with and the Petitioner appeared in the Police Station and cooperated with the investigation and after completion of investigation charge sheet has been filed adding 308 of the Indian Penal Code. Therefore, the Petitioners move this Court by filing the present application.
 5. Considering the nature of allegations made, gravity of the

offence and the facts of the case, I am not inclined to grant anticipatory bail to the Petitioners. However, it is directed that in the event the Petitioners surrender before the learned S.D.J.M., Gunupur in G.R.Case No.249 of 2019 arising out of Gunupur P.S.Case No.107 of 2019 within a period of three weeks from today and move for bail, they shall be released on bail on such terms and conditions as would be deemed just and proper by the learned Magistrate, but subject to verification of criminal antecedent of similar nature against the petitioners.

6. Accordingly, the ABLAPL is disposed of.
7. Issue urgent certified copy of this order as per Rules.



RKS