

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.11147 of 2022

***Debasis Pattanayak @ Debu
Pattanaik & others***

.... ***Petitioners***

Mr. Tanmay Mishra, Advocate

-versus-

State of Odisha

.... ***Opposite Party***

Mr. S.Mishra, A.S.C.

Mr. Abhas Mohanty, Adv. for Informant

**CORAM:
JUSTICE A.K.MOHAPATRA**

**ORDER
14.09.2022**

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioners, learned Addl. Standing Counsel for the State and learned counsel for the Informant.
3. This is an application under Section 438, Cr.P.C. filed by the Petitioners for anticipatory bail, involving offence punishable under Sections 147/148/294/323/506/427/435/380/149, I.P.C. and Section 4 of the Public Property (Prevention of Damage) Act, 1985.
4. Mr. Abhas Mohanty, learned counsel for the Informant vehemently opposes to the release of the petitioners on bail.
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

S.D.J.M., Keonjhar in G.R. Case No.1681 of 2022 corresponding to Nayakote P.S. Case No.0072 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 Antecedents of the Petitioners. If it is found that there is more than one criminal antecedent against the Petitioners, then this bail order shall stand automatically revoked.

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

- (i) The Petitioners shall appear before the I.O. and shall cooperate with the investigation as and when required by the I.O.;
- (ii) They shall also appear before the concerned P.S. once in every fortnight till conclusion of the investigation;
- (iii) They shall not indulge in any other offence of similar nature in any manner while on bail by virtue of this order;
- (iv) They shall appear before the trial court on each date fixed for trial, without fail.

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

6. The ABLAPL is disposed of accordingly.

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

(A.K. Mohapatra)
Judge