

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.11230 of 2022

Santosh Behera and others

Petitioners

....
Mr. Jyotirmaya Sahoo, Advocate

-versus-

State of Odisha

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

Mr. S.Patra, A.S.C.

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

**ORDER
15.09.2022**

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. Perused the records.
3. This is an application under Section 438, Cr.P.C. filed by the Petitioners for anticipatory bail, involving offence punishable under Sections 147,148,341,294, 323, 324, 325, 326, 332, 353, 307, 354, 379, 427, 186, 506/149 of the Indian Penal Code read with Section 27 of the Arms Act and Section 7 of CRLA Act, 1932.
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., Patrapur in G.R. Case No.306 of 2022 corresponding to Jarada 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, but subject to verification of Criminal Antecedents of the Petitioners. If it is found that there is more than one criminal antecedent against the Petitioner Nos.1,3 & 4 and more than two criminal antecedents against the Petitioner No.2, 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 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