

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.11232 of 2022

Hari Sahoo & 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 294, 323, 307, 353, 379, 506/ 34 of the Indian Penal Code read with Section 51 of Orissa Minor Minerals Concession Rules, 2004.
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 N.G.N.-cum-J.M.F.C., Tangi in G.R. Case No.446 of 2022 corresponding to Tangi P.S. Case No.465 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 and Criminal Antecedents of the Petitioners. On the date of surrender the Case Diary and injury report be made available.

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 not indulge in similar nature of offences and shall not use the vehicle in similar nature of offences while on bail;
- (iii) They shall not indulge in any other offence of similar nature in any manner while on bail by virtue of this order;

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