

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.11240 of 2022

***Rohit Pradhan @ Rohit Kumar
Pradhan & others***

Petitioners

....
Mr. Prahallad Sahu, Advocate

-versus-

State of Odisha

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

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

**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. 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, 448, 379, 506, 354-B/34 of the Indian Penal Code read with Section 5 of Odisha Prevention of Witch Hunting Act, 2013.
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 S.D.J.M., Phulbani in C.T. Case No.477 of 2022 corresponding to Khajuripada P.S. Case No.86 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 similar nature 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 not threaten, influence, terrorise or harass the informant and her family members in any manner whatsoever.
- (iii) 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.

5. The ABLAPL is disposed of accordingly.

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

(A.K. Mohapatra)
Judge