

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.11523 of 2022

***Sek Haidar Alli @ Sk. Haidar &
another***

....

Petitioners

Mr. Satya Narayan Mishra-4, Advocate

-versus-

State of Odisha

....

Opposite Party

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

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

**ORDER
19.09.2022**

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioners and learned Addl. Standing Counsel for the State.
3. This is an application under Section 438, Cr.P.C. filed by the Petitioners for anticipatory bail, involving offence punishable under Sections 279/353/307/379/411/34, I.P.C. read with Section 11(1) of Prevention of Cruelty to Animals Act, 1990 and Section 7 of Orissa Prevention of Cow Slaughter Act, 1960.
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., Soro in C.T. Case No.220 of 2022 corresponding to Simulia P.S. Case No.73 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 the Criminal Antecedents of the Petitioners. If it is found that there is more than one criminal antecedent of similar nature against. The Case Diary and Criminal Antecedent Report of the Petitioners be made available to the learned Magistrate for consideration of the bail application of the Petitioners on the date of their surrender.

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

- (i) The Petitioners shall cooperate with the investigation and shall appear before the I.O. as and when required for the said purpose;
- (ii) They shall not indulge in any other offence of similar nature in any manner whatsoever, while on bail by virtue of this order.

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

- 5. The ABLAPL is disposed of accordingly.
- 6. Urgent certified copy of this order be granted as per rules.

(A.K. Mohapatra)
Judge