

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.11542 of 2022

***Kailash @ Kailash Chandra Malik* *Petitioners*
*and others***

Mr. C.R. Satapathy, Advocate
-versus-

***State of Odisha* *Opp. 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 Additional Standing Counsel for the State.
3. This is an application under Section 438, Cr.P.C. filed by the petitioners for anticipatory bail.
4. The petitioners are seeking pre-arrest bail in connection with G.R. Case No.741 of 2022, arising out of Nemalo P.S. Case No.154 of 2022 pending in the court of learned J.M.F.C., Salipur for commission of offences punishable under Sections 341/294/354-B/379/506/34, I.P.C.
5. Considering the nature of allegation, gravity of offence and the fact of the case, I am not inclined to grant anticipatory bail to the petitioners. However, it is directed that in the event the petitioners surrender and move application for bail before the learned court in seisin over the matter within a period of three weeks from today in the aforesaid case, they shall be released on bail on such terms and

conditions as would be deemed just and proper with further conditions that:-

- I. The petitioners shall not threaten, harass and terrorize the informant and her /his family members in any manner whatsoever;
- II. they shall cooperate with the Investigating Officer as and when required for the purpose of investigation; and
- III. they shall not make any attempt to come in contact with the informant, while on bail.

Violation of any of the terms and conditions shall entail cancellation of bail.

6. Accordingly, the ABLAPL is disposed of.

Urgent certified copy of this order be granted on proper application.

(A.K. Mohapatra)
Judge