

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.11626 of 2022

Bapun Das @ Ashish Das & Others ***Petitioners***
Mr. Pramod Kumar Jena, Advocate

-versus-

State of Odisha ***Opposite Party***
Mr. P.C. Das, 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 147/148/323/307/336/337/186/188/332/353/506/149, I.P.C.
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., Balasore in C.T. Case No.792 of 2022 corresponding to Sahadevkhunta P.S. Case No.282 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

Injury Report. If the injuries caused to the injured are found to be grievous in nature, then this bail order shall stand automatically revoked. The Case Diary and Injury Report 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 while on bail by virtue of this order.
- (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 Petitioners.

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

(A.K. Mohapatra)
Judge