

**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**ABLAPL No.11853 of 2022**

***Chinku @ Chinmaya Tarai &  
others***

***Petitioners***

....

*Mr. J.K.Bala, Advocate*

*-versus-*

***State of Odisha***

....

***Opposite Party***

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

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

**ORDER  
21.09.2022**

**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 Section 354(C)/34 of the Indian Penal Code read with Section 66(E) of Information Technology Act.
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., Khallikote in G.R.Case No.1247 of 2022 arising out of Rambha P.S. Case No.442 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 against the Petitioners.

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 his family members
- (iii) They shall not commit similar nature of offence while on bail.

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

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

**(A.K. Mohapatra)**  
**Judge**