

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.11931 of 2022

Prabhati Bidhar & Others

....

Petitioners

Mr. Sabyasachi Mishra, Advocate

-versus-

State of Odisha

....

Opposite Party

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

CORAM:

JUSTICE A.K.MOHAPATRA

ORDER

22.09.2022

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 451/294/323/354-B/506/379/34, I.P.C.
4. It is submitted by learned counsel for the Petitioners that the accused persons belong to one family. One DilipBidhar is the principal accused, against whom allegation of committing offence under Section 354-B, I.P.C. is there, who had assaulted the informant.
5. Considering such submission, 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., Jatni in G.R. Case No.574 of 2022 corresponding to Jatni P.S. Case No.329 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.

However, 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;
- (ii) They shall not threaten, terrorise, ill-treat, harass or influence the Informant and her family members as well as the prosecution witnesses in any manner whatsoever, while on bail.
- (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.

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

(A.K. Mohapatra)
Judge