

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.11984 of 2022

Prakash Bisoi and others ***Petitioners***

Mr. B.K. Nayak-3, Advocate

-versus-

State of Odisha ***Opp. Party***

Mr. S. Mishra, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

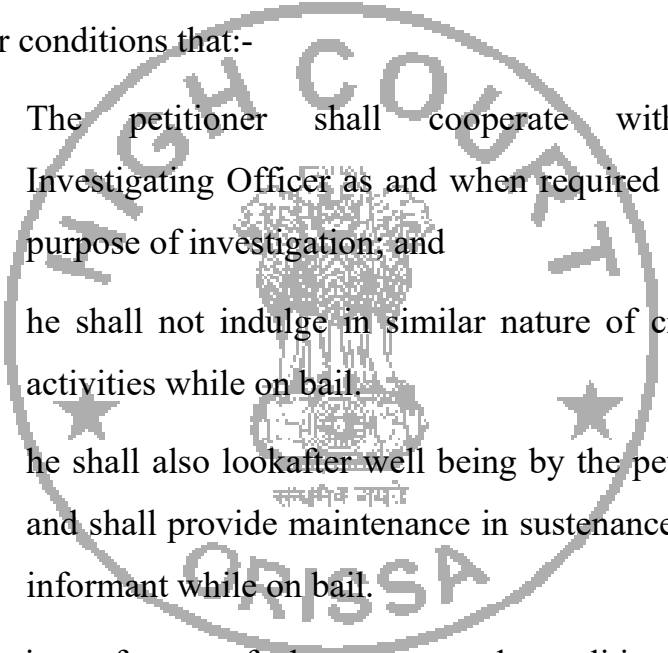
22.09.2022

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the petitioners and learned 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 Sarankul P.S. Case No.116 of 2022 corresponding to G.R. Case No.247 of 2022 pending in the court of learned Nyayadhipikari, Gram Nyayalaya-cum-J.M.F.C., Odagaon for commission of offence punishable under Sections 498-A/323/325/506/34, I.P.C. read with Section 4 of the D.P. Act.
5. Considering the submissions made by the respective parties and the materials placed before the Court, it is directed that in the event of arrest of the petitioner nos.2, 3, 4 and 5 by the Arresting Officer in the aforesaid case, petitioner nos.2, 3, 4 and 5 shall be

released on bail on such terms and conditions as deemed just and proper by the Arresting Officer.

6. So far as petitioner no.1-Prakash Bisoi is concerned. Considering the nature of allegation, gravity of offence and the fact of the case, I am not inclined to grant anticipatory bail to the petitioner no.1-Prakash Bisoi. However, it is directed that in the event the petitioner no.1-Prakash Bisoi surrenders and moves an application for bail before the learned court in seisin over the matter within a period of three weeks from today in the aforesaid case, he shall be released on bail on such terms and conditions as would be deemed just and proper with further conditions that:-

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- I. The petitioner shall cooperate with the Investigating Officer as and when required for the purpose of investigation; and
 - II. he shall not indulge in similar nature of criminal activities while on bail.
 - III. he shall also lookafter well being by the petitioner and shall provide maintenance in sustenance of the informant while on bail.

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

7. Accordingly, the ABLAPL is disposed of.

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