

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.12149 of 2022

Prasant Kuma Swain & others

Petitioners

....
Mr. Sanjay Kumar Pattanaik, Advocate

-versus-

State of Odisha

.... ***Opposite Party***

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

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

**ORDER
24.09.2022**

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 Sections 147, 148, 452, 341, 294, 506, 507, 353, 332, 336, 427, 323, 325, 307, 379/139 of the Indian Penal Code.
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.(Rural), Cuttack in G.R.Case No.2316 of 2022 arising out of Tangi P.S. Case No.189 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 injury and 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 indulge in similar nature of offence while on bail.
- (iii) They shall appear before the trial court on each and every date fixed;
- (iv) They shall appear before the concerned P.S. once in a fortnight preferably on Sunday between 10 A.M. to 1 P.M. till completion of investigation.

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

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

(A.K. Mohapatra)
Judge