

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

**ABLAPL No.12212 of 2022**

***Madhusmita Paikray and others*** .... ***Petitioners***  
***Mr. U.K. Lenka, Advocate***

***-versus-***

***State of Odisha*** .... ***Opp. Party***  
***Mr. M.K. Mohanty, A.S.C.***

**CORAM:**

**JUSTICE A.K. MOHAPATRA**

**ORDER**

**26.09.2022**

**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 G.R. Case No.328 of 2022, arising out of Niali P.S. Case No.361 of 2022 pending in the court of learned J.M.F.C., Niali for commission of offences punishable under Sections 294/323/427/379/506/34, I.P.C.
5. It is submitted by learned counsel for the petitioner that there is a case and counter case between the parties.
6. Considering the nature of allegation, gravity of offence and the fact of the case, I am not inclined to grant anticipatory bail to the petitioners. However, it is directed that in the event the petitioners surrender and move 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, they shall be released on bail on such terms and conditions as would be deemed just and proper.

7. It is further directed that the bail granted to the petitioners is subject to the condition that learned court below shall verify whether the petitioners have any criminal antecedents of similar nature. In the event it is found that the petitioners have any criminal antecedents of similar nature, this bail order shall automatically stand revoked.

8. Accordingly, the ABLAPL is disposed of.

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

Jagabandhu

