

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.12237 of 2022

***Santun Sethi @ Santanu Sethi @
Rashmi Ranjan Sethi and another*** ***Petitioners***

Mr. G.R. Dhal, Advocate

-versus-

State of Odisha

.... ***Opp. Party***
Mr. S. Mishra, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

29.09.2022

Order No.

02.

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. for grant of anticipatory bail to the petitioners in connection with C.T. Case No.5718 of 2022 arising out of Khandagiri P.S. Case No.480 of 2022 pending in the Court of learned S.D.J.M., Bhubaneswar for alleged commission of offences under Sections 294/341/323/386/506/427/34 of the Indian Penal Code.
4. It is submitted by learned counsel for the petitioner that the petitioner does not have any criminal antecedent. It is further submitted that that petitioner has falsely implicated in the present case at the instance of the informant.
5. 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. However, it is directed that in the event the petitioners

surrender 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 with further conditions that :-

- I. The petitioners shall cooperate with the Investigating Officer as and when required for the purpose of investigation;
- II. they shall not indulge in similar criminal activities while on bail;
- III. they shall not default in attendance of the court during trial on each date of posting; and
- IV. they shall appear before the concerned Police Station once in a fortnight preferably on 'Sunday' in between 10.00 A.M. to 1.00 P.M. till conclusion of trial.

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

6. 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.

7. Accordingly, the ABLAPL is disposed of.

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

(A.K. Mohapatra)
Judge

