

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.12321 of 2022

Sk.Sakhawat Ali & others

Petitioners

....
Mr. Jyotsnamayee Sahoo, Advocate

-versus-

State of Odisha

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

Mr. S.Patra, A.S.C.

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

**ORDER
27.09.2022**

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, 323,324, 395, 427/149 of the Indian Penal Code.
4. It is submitted by the learned counsel for the Petitioners that the Petitioners have not been named in the F.I.R. It is further submitted that there is specific allegation against one Muruda Khan and one Imran, who had entered into the shop of the informant and taken away Rs.2,00,000/- It is also submitted by the learned counsel for the Petitioners that the Petitioners do not have any criminal antecedents of similar nature.

5. 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., Jajpur Road in C.T.Case No.956 of 2022 corresponding to Panikoili P.S. Case No.167 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

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 threaten, influence, terrorise or harass the prosecution witnesses including the informant in any manner whatsoever while on bail.
- (iii) They shall appear before the trial court on each and every date fixed.

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