

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.12431 of 2022

Raja Laxmi Das & others

Petitioners

....
Mr. Kshirod Kumar Sahoo, Advocate

-versus-

State of Odisha

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

Mr. P.C.Das, A.S.C.

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

**ORDER
28.09.2022**

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 394, 294 506/34 of the Indian Penal Code.
4. It is submitted by the learned counsel for the Petitioners that due to previous dispute the informant registered successive cases against the petitioners. It is further submitted by the learned counsel for the Petitioners that as per the allegation one Niharranjan Patnaik is the principal accused against whom there is allegation of assault. It is also submitted that the son of the present Petitioner, one Dinyajyoti Das has been arrested and in custody.

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.(City), Cuttack in G.R.Case No.1012 of 2022 corresponding to UPD Cuttack, Chauliaganj P.S. Case No.249 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 informant and her family members 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