

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.12501 of 2022

Prakash Sahoo & another ***Petitioners***
Mr. Satya Narayan Mishra-4, Advocate
-versus-
State of Odisha ***Opposite Party***
Mr. M.K. Mohanty, 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 and learned Addl. Standing Counsel for the State.
3. This is an application under Section 438, Cr.P.C. filed by the Petitioners for anticipatory bail, involving offence punishable under Sections 341/294/354/506/34, I.P.C.
4. It is submitted by learned counsel for the Petitioners that the Petitioners and the Informant belong to one family. Due to previous dispute, a scuffle took place, as a result of which the present case has been filed. He further submits that the Petitioners have no criminal antecedents in their name.
5. Considering such submission, 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., Dhamnagar in G.R. Case No.631 of 2022 corresponding to Dhamanagar P.S. Case No.354 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.

However, 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, terrorise, ill-treat or harass the Informant and her family members including the prosecution witnesses in any manner whatsoever.

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

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

(A.K. Mohapatra)
Judge

S.K.Parida