# IN THE HIGH COURT OF ORISSA AT CUTTACK

**ABLAPL No.12575 of 2022**

***Sarat Chandra Rout & Others*** .... ***Petitioners***

*Mr. Sangram Keshari Rout, Advocate*

*-versus-*

***State of Odisha*** .... ***Opposite Party***

*Mr. M.K. Mohanty, A.S.C.*

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

**ORDER**
**29.09.2022**

**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 341/294/323/324/354/506/34, I.P.C.

4. 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., Chandikhol in C.T. Case No.1452 of 2022 corresponding to Badachana P.S. Case No.265 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, but subject to verification of the

Criminal Antecedents of the Petitioners. If it is found that there is more than one criminal antecedent of similar nature against the Petitioners, then this bail order shall stand automatically revoked.

The Case Diary and Criminal Antecedent Report of the Petitioners be made available to the learned Magistrate for consideration of the bail application of the Petitioners on the date of their surrender.

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 his 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*