

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.12583 of 2022

V. Vaikuntha Rao & Others ***Petitioners***
Mr. Giridhari Singh, Advocate

-versus-

State of Odisha ***Opp. Party***
Mr. M.K. Mohanty, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

Order No.

ORDER
29.09.2022

- 01.
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. filed by the petitioners for anticipatory bail.
 4. The petitioners are seeking pre-arrest bail in connection with Gunupur P.S. Case No.172 of 2022 pending in the court of learned S.D.J.M., Gunupur for commission of offences punishable under Sections 120-B/143/147/294/341/353/452/149, I.P.C. read with Section 7 of the Criminal Law (Amendment) Act, 2013.
 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 petitioners. However, it is directed that in the event the petitioners surrender and move application for bail 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 in the facts and circumstances of the case, with the following further conditions that :-

- 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, harass or ill-treat the informant and her / 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.

6. Further, it is directed that the petitioner shall give an undertaking before the learned court below that while releasing on bail, he will ensure that as he will keep peace and tranquility in the locality and does not indulge in similar activities as alleged in the F.I.R.

7. The ABLAPL is disposed of accordingly.

Urgent certified copy of this order be granted as per rules.

(A.K. Mohapatra)
Judge