

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.12590 of 2022

Durgesh Dharua & Others ***Petitioners***
Mr. Srikar Kumar Rath, 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 147/148/294/323/506/353/427/307/149, 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., S.Rampur in G.R. Case No.128 of 2022 corresponding to Dunguripali P.S. Case No.182 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 furnishing cash

security of Rs.2000/- (Rupees Two Thousand) by each of the 11 Petitioners to the satisfaction of the learned court in seisin over the matter. The aforesaid total amount shall be kept in an interest bearing account of any nationalized bank, which shall be subject to the outcome of the trial of the case.

However, while imposing conditions for bail, learned Magistrate shall also impose the following additional conditions –

- (i) The Petitioners shall cooperate with the investigation and shall appear before the I.O. for the purpose of investigation, as and when required;
- (ii) They shall not threaten, terrorise, ill-treat or harass the Informant and his family members including the prosecution witnesses in any manner whatsoever, while on bail.

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