

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.12900 of 2022

***Rajesh Ku. Jena @ Pandu Jena @
Pandi Jena & Others***

.... ***Petitioners***

Mr. S.R. Mohapatra, Advocate

-versus-

State of Odisha

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

Mr. Sitikant Mishra, A.S.C.

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

**ORDER
10.10.2022**

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 341/294/324/307/379/506/34, 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., Basta in C.T. Case No.575 of 2022 corresponding to Baliapal p.s. Case No.187 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

criminal antecedents of the Petitioners. If it is found that there are more than two criminal antecedents of similar nature to the present case against the Petitioners, then this bail order shall stand automatically revoked.

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 indulge in any other offence of similar nature in any manner whatsoever, while on bail.
- (iii) They shall not threaten, terrorise, ill-treat or harass the Informant and his family members as well as the prosecution witnesses in any manner, while on bail.
- (iv) They shall furnish cash security of Rs.10,000/- (Rupees Ten Thousand) to the satisfaction of the learned court in seisin over the matter, which shall be kept in an interest bearing account of any Nationalized Bank, and the said amount shall be subject to the final verdict of the trial.

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