

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.13234 of 2022

Srinibash Sahoo and another

....

Petitioners

Mr. A. Pattnaik, Advocate

-versus-

State of Odisha

....

Opp. Party

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

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

20.10.2022

Order No.

01.

1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).

Learned counsel for the petitioners is permitted to make necessary corrections so far as the name of the husband of the petitioner no.2 is concerned in Court today.

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 G.R. Case No.330 of 2022, arising out of Ranpur P.S. Case No.217 2022 pending in the court of learned J.M.F.C., Ranpur for commission of offences punishable under Sections 457/341/294/323/324/326/307/506/34, I.P.C.

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 an 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 with further conditions that :-

- I. The petitioners shall not be involved in any offence of similar nature; and
- II. they shall not indulge in similar criminal activities while on bail.

Violation of any of the terms and conditions shall entail cancellation of bail.

6. It is further directed that the bail granted to the petitioners is subject to the condition that learned court below shall verify whether the petitioners have any criminal antecedents of similar nature. In the event it is found that the petitioners have any criminal antecedents of similar nature, this bail order shall automatically stand revoked.

7. It is further directed that the bail granted to the petitioners is subject to the condition that learned court below shall verify whether injuries sustained by the injured are grievous in nature. In the event it is found that the injury is grievous in nature, this bail order shall automatically stand revoked. Case diary as well as injury report and the criminal antecedents be made available on the date of surrender of the petitioner before the learned court below.

8. Accordingly, the ABLAPL is disposed of.

Urgent certified copy of this order be granted on proper application.

(A.K. Mohapatra)
Judge

