

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.13295 of 2022

***Alok Patra @ Judhistir Patra and
another***

Petitioners

....
Mr.S.K.Padhy, Advocate

-versus-

State of Odisha

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

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

**ORDER
17.10.2022**

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioners, learned Addl. Standing Counsel for the State. Perused the records.
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, 325, 506/34 of the Indian Penal Code.
4. It is submitted by the learned counsel for the Petitioners that the injured has sustained injury on his ear. He further submits that in the F.I.R. there is specific allegation against Rabindra Patra, who has assaulted on the ear of the injured. Further, he submits that the Petitioners do not have similar criminal antecedents.
5. 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

S.D.J.M, Balangir in G.R.Case No.1351 of 2022 arising out of Puintala P.S.Case No.199 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 similar nature.

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

- (i) The Petitioners shall cooperate with the investigation and appear before the I.O. as and when required by the I.O.;
- (ii) They shall not indulge in similar nature of criminal offence while on bail;
- (iii) They shall not threaten, influence, terrorise or harass the informant in any manner whatsoever while on bail.

Violation of any of the conditions shall entail cancellation of bail of the Petitioners.

6. The ABLAPL is disposed of accordingly.

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

(A.K. Mohapatra)
Judge