

**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**ABLAPL No.13405 of 2022**

***Raghunath Roul & Others***

....

***Petitioners***

*Mr. D.K. Mohapatra, Advocate*

*-versus-*

***State of Odisha***

....

***Opposite Party***

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

**CORAM:**

**JUSTICE A.K.MOHAPATRA**

**ORDER**

**19.10.2022**

**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 341/294/323/307/379/506/34, 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., Jaleswar in C.T. Case No.424 of 2022 corresponding to Jaleswar P.S. Case No.380 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 the

Criminal Antecedents of the Petitioners as well as verification of the Injury Report. If it is found that there is more than one criminal antecedent of similar nature against the Petitioners, then this bail order shall stand automatically revoked. Similarly, if the injuries caused to the injured are found to be grievous in nature, then also this bail order shall stand automatically revoked.

The Case Diary and Criminal Antecedent Report of the Petitioners as well as the Injury Report be made available to the learned Magistrate for consideration of the bail application of the Petitioners on the date of their surrender.

However, release of the Petitioners on bail shall also be subject to the further condition of furnishing cash security of Rs.1,000/- (Rupees One Thousand) by each of the Petitioners to the satisfaction of learned court in seisin over the matter.

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

- (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, ill-treat or harass the Informant and 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.

5. The ABLAPL is disposed of accordingly.

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

**(A.K. Mohapatra)**  
**Judge**

*S.K.Parida*

