

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.13428 of 2022

Manoj Kumar Sahoo & another ***Petitioners***
Mr. Chiranjib Rout, 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. On the basis of oral submission, learned counsel for the Petitioners is allowed to carry out necessary correction in the cause-title of the bail application in court today, so far as the name of Petitioner No.2 is concerned.
3. Heard learned counsel for the Petitioners and learned Addl. Standing Counsel for the State.
4. This is an application under Section 438, Cr.P.C. filed by the Petitioners for anticipatory bail, involving offence punishable under Sections 341/294/323/307/386/34, I.P.C.
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., Talcher in G.R. Case No.2381 of 2022 corresponding to Kaniha P.S. Case No.267 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.

6. The ABLAPL is disposed of accordingly.
7. Urgent certified copy of this order be granted as per rules.

(A.K. Mohapatra)
Judge