

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.13477 of 2022

Muralidhar Moharana and others ***Petitioners***
Mr. P.K. Dash, 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 files an extra copy of the F.I.R. in Court today. The same is accepted and be kept on record.

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.2085 of 2022, arising out of Derabish P.S. Case No.164 2022 pending in the court of learned S.D.J.M., Kendrapara for commission of offences punishable under Sections 323/294/506, I.P.C.

5. On perusal of the F.I.R., it is seen that the F.I.R. registered in Derabish P.S. Case No.164 dated 16.10.2022 for the offences punishable under Sections 323/294/506, I.P.C.

6. 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.

7. Accordingly, the ABLAPL is disposed of.

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

(A.K. Mohapatra)
Judge