

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.13752 of 2022

***Md. Qualamuddin Rain @ Md.
Kalam & Others***

Petitioners
....
Mr. D.K. Mohapatra, Advocate

-versus-

State of Odisha

Opposite Party
....
Mr. Shashanka Patra, A.S.C.

**CORAM:
JUSTICE CHITTARANJAN DASH**

**ORDER
14.11.2022**

Order No.

03.

1. Heard learned counsel for the Petitioners and the State.
2. This is an application for bail U/s.438 Cr.P.C. filed by the Petitioners anticipating arrest for their alleged involvement in the offences U/s. 379/34, I.P.C. in connection with Bhasma P.S. Case No.232 of 2022 corresponding to G.R. Case No.1558 of 2022 pending in the court of learned S.D.J.M., Sundargarh.
3. Learned counsel for the State, on instruction, submits that there is a Criminal Antecedent against Petitioner No.1 – Md. Qualamuddin Rain @ Md. Kalam besides the present case.
4. Having regard to the aforesaid facts, this Court is not inclined to grant anticipatory bail to Petitioner No.1 – Md. Qualamuddin Rain @ Md. Kalam, and accordingly his prayer for bail is rejected.

5. So far as Petitioner Nos.2, 3 & 4 – namely Sahidul Sk, Abbas Seikh and Samrat Sk. are concerned, keeping in view the the nature of allegations as emerged from the materials on record, and further the circumstances appearing, the seriousness and gravity of the offence alleged against them, it is directed that in the event Petitioner Nos.2, 3 & 4 surrender and move for bail before the learned S.D.J.M., Sundargarh in the aforesaid G.R. Case within a period of three weeks hence, they shall be admitted to bail on such terms and conditions as would be deemed just and proper by the said court, but subject to the further conditions that they shall appear before the I.O. once in a week till submission of charge-sheet till submission of final form; shall not indulge themselves in any other similar criminal activities; and shall also appear before the trial court on each date of trial, without fail, till conclusion of the trial. Violation of any of the conditions, as above, shall entail cancellation of the bail automatically.

6. The ABLAPL is disposed of accordingly.

(*Chittaranjan Dash*)
Judge

S.K. Parida