

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.14505 of 2022

Sunil Tandi & another

....

Petitioners

Mr. Sachidananda Padhee, Advocate

-versus-

State of Odisha

....

Opposite Party

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

CORAM:

JUSTICE CHITTARANJAN DASH

ORDER

29.11.2022

Order No.

02.

1. Heard the learned counsel for the Petitioners and the State.

2. By means of this application, the Petitioners seek grant of bail U/s.438 Cr.P.C. in apprehension of arrest for their alleged involvement in the offences U/s. 341/323/324/307/34, I.P.C. in connection with Bhatli P.S. Case No.232 of 2022 corresponding to C.T. Case No.1397 of 2022 pending in the court of learned S.D.J.M., Bargarh.

3. Learned counsel for the State submits that there is no criminal antecedent standing to the credit of the Petitioners and the Injury Report reveals the injuries sustained to be simple in nature.

4. Keeping in view the submissions of the parties and having gone through the nature of allegations as emerged from the materials on record, and further the circumstances appearing, the seriousness and gravity of the offences, this court is not inclined to grant anticipatory bail. However, it is directed that, in the event the Petitioners surrender and move for bail before the learned S.D.J.M.,

Bargarh in the aforesaid C.T. Case within a period of three weeks from today, they shall be allowed to go on bail on such terms and conditions as would be deemed just and proper by the said court, but subject to the following further conditions –

- (i) The Petitioners shall appear before the I.O. and shall cooperate with the investigation as and when required;
- (ii) They shall also appear before the trial court on each date of trial, without fail.
- (iii) They shall not intimidate, terrorise, ill-treat or harass the Informant and his family members including the prosecution witnesses in any manner and shall not tamper with the prosecution evidence in any manner whatsoever.
- (iv) They shall not indulge in any other similar offence in any manner whatsoever while on bail.
- (iv) Violation of any of the conditions shall entail cancellation of bail of the Petitioners.

5. The ABLAPL is disposed of accordingly.

(Chittaranjan Dash)
Judge

S.K. Parida