

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.14658 of 2022

Chitrasen Naik and others

Petitioners
....
Mr. U.R. Jena, Advocate

-versus-

State of Odisha

Opp. Party
....
Mr. S. Patra, ASC

**CORAM:
JUSTICE CHITTARANJAN DASH**

Order No.

**ORDER
09.12.2022**

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 in apprehension of arrest for their alleged involvement in the offences U/s.341/323/307/427/379/34 IPC.
3. Learned counsel for the State submits that Petitioner No.1 apparently does not have any criminal antecedent in respect to the said PS whereas with regard to Petitioner No.2, namely, Gobinda Naik @ Ghau has several criminal antecedents under Section 395 IPC to his credit.
4. In view of the above, learned counsel for the Petitioners submits that he does not want to press the bail application in respect to Petitioner No2, namely, Gobinda Naik @ Ghau.

5. Accordingly, the bail application of Petitioner No.2, namely, Gobinda Naik @ Ghau is dismissed as not pressed.

6. Considering the submissions made, keeping in view the nature of allegations, the circumstances appearing, the seriousness and the gravity of offence, while this Court is not inclined to grant anticipatory bail, it is directed that in the event the Petitioner No.1, namely, Chitrasen Naik surrender in connection with Motanga P.S. Case No.229 of 2022 corresponding to G.R. Case No.1302 of 2022 pending in the court of learned S.D.J.M., Dhenkanal within a period of two weeks' hence and moves for bail, he shall be released on such terms and conditions as would be deemed just and proper by the said court with further conditions that he shall appear in person before the court below on each date of posting of the case unless specifically exempted by the court concerned with the further conditions that he shall appear before the IO as and when required; shall not threaten or intimidate the Informant party in any manner whatsoever and shall cooperate with the investigation; shall not indulge in any other similar offence in any manner whatsoever while on bail. Violation of any of the conditions shall entail cancellation of bail of the Petitioner. The ABLAPL is disposed of.

(Chittaranjan Dash)
Judge

KC Bisoi