

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.14745 of 2022

Jagabandhu Behera & Others* *Petitioners

Mr. Deepak Kumar Das, Advocate

-versus-

State of Odisha

.... Opposite Party

Mr. Shashanka Patra, A.S.C.

**CORAM:
JUSTICE CHITTARANJAN DASH**

Order No.

**ORDER
02.12.2022**

01. 1. Heard the learned counsel for the Petitioner 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. 341/294/323/324/506/34, I.P.C. in connection with Astaranga P.S. Case No.223 of 2022 corresponding to G.R. Case No.980 of 2022 pending in the court of learned J.M.F.C., Nimapara.
3. Learned counsel for the Petitioners does not press this bail application in respect to Petitioner No.4 – Bhagu Behera. Accordingly, the ABLAPL stands dismissed so far as Petitioner No.4 – Bhagu Behera is concerned.
4. Keeping in view the submissions of the parties, nature of allegation, seriousness and gravity of the offence, while this court is not inclined to grant the anticipatory bail, however, it is directed that in the event the Petitioner Nos.1, 2, 3 & 5 – namely Jagabandhu

Behera, Magu Behera, Anil Behera & Magu Charan Behera surrender and move for bail before the learned J.M.F.C., Nimapara in the aforesaid G.R. 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 verification of Criminal Antecedents of the Petitioners.

5. In case it is found that there is more than two criminal antecedents standing to the credit of the Petitioners, this order shall not be given effect to. However, if no antecedent is noticed and the learned Magistrate allows the Petitioners to go on bail, the following further conditions shall be imposed –

- (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, till conclusion of the trial.
- (iii) They shall not threaten, 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) Violation of any of any of the conditions shall entail cancellation of bail.

6. The ABLAPL is disposed of accordingly.

(Chittaranjan Dash)
Judge

S.K. Parida