

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.14751 of 2022

Gobardhan Mishra & Others ***Petitioners***
Mr. Suryakanta Dwibedi, Advocate

-versus-

State of Odisha ***Opposite Party***
Mr. Shashanka Patra, A.S.C.

CORAM:
JUSTICE CHITTARANJAN DASH

ORDER
02.12.2022

Order No.

- 01.
1. Heard the learned counsel for the Petitioners and the State.
 2. By means of this application, the Petitioners seek grant of bail under Section 438, Cr.P.C. in apprehension of arrest for their alleged involvement in the offences U/s. 147/148/294/341/323/354-B/427/451/307/506/149, I.P.C. in connection with Kantamal P.S. Case No.157 of 2022 corresponding to C.T. Case No.317 of 2022 pending in the court of learned J.M.F.C., Kantamal.
 3. Learned counsel for the Petitioners submits that the injuries caused to the injured are simple in nature.
 4. Keeping in view the submission 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, while 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 J.M.F.C., Kantamal 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 verification of the Injury Report.

5. If the injuries are found to be grievous in nature, this bail order shall not be given effect to. However, if 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 the conditions shall entail cancellation of bail.

6. The ABLAPL is disposed of accordingly.

(Chittaranjan Dash)
Judge

S.K. Parida