

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.14776 of 2022

Roshan Banka and others

Petitioners
....
Mr. A.P. Bose, Advocate

-versus-

State of Odisha

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

**CORAM:
JUSTICE CHITTARANJAN DASH**

Order No.

**ORDER
05.12.2022**

01.

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 anticipation of arrest for their alleged involvement in the offences U/s.143/307/323/324/506/294/149 IPC.
3. It is submitted by learned counsel for the Petitioners that on the basis of an F.I.R. lodged by the present Petitioners earlier to the FIR lodged against the Petitioners the Informant parties have since been released on bail. As regards the allegation against the present Petitioners, the FIR discloses that there are severe injuries but according to the instruction of the learned counsel for the Petitioners there is no injury at all.
4. Keeping in view the submissions made, the nature of allegations, the circumstances appearing, the seriousness and the gravity of the offences, while this Court is not inclined to grant the anticipatory bail, it is directed that in the event the Petitioners surrender in

connection with Bargarh P.S. Case No.618 of 2022 corresponding to C.T. Case No.1292 of 2022 pending in the court of learned S.D.J.M., Bargarh within a period of two weeks' hence and move for bail, they shall be released on such terms and conditions as would be deemed just and proper by the said court with further conditions that they 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 they 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. Violation of any of the conditions shall entail cancellation of the bail of the Petitioners.

5. It is made clear that the learned court below shall verify the criminal antecedent of the Petitioners. In case more than one antecedent is noticed and if the injury is found grievous, the order of this Court shall not be given effect to and the court shall be free to deal with the matter of bail according to its merit without further reference to the present.

6. The ABLAPL is disposed of.

(Chittaranjan Dash)
Judge

KC Bisoi