

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.14784 of 2022

***Gunia Malik @ Prasanta Malik &
another***

Petitioners
....
Mr. Mahes Das, Advocate

-versus-

State of Odisha

Opposite Party
....
Mr. Shashanka Patra, A.S.C.

**CORAM:
JUSTICE CHITTARANJAN DASH**

**ORDER
05.12.2022**

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 U/s.438 Cr.P.C. in apprehension of arrest for their alleged involvement in the offences U/s. 363/294/506/34, I.P.C. in connection with Pattamundai P.S. Case No.495 of 2022 corresponding to G.R. Case No.495 of 2022 pending in the court of learned J.M.F.C., Pattamundai.
 3. Learned counsel for the Petitioners submits that the F.I.R. does not disclose that the present Petitioners to have facilitated elopement of the victim girl by their son.
 4. Having regard to the nature of the allegations, seriousness and gravity of the offence and the facts and circumstances of the case, while this court is not inclined to grant the anticipatory bail, however it is directed that in the event the Petitioners surrender and

move for bail before the learned J.M.F.C., Pattamundai 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 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, till conclusion of the trial.
- (iii) They shall not threaten, intimidate, terrorise, ill-treat or harass the Informant and her 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.

5. The ABLAPL is disposed of accordingly.

(Chittaranjan Dash)
Judge

S.K. Parida