

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.14801 of 2022

Pratap Behera & Others

Petitioners

Mr. Samvit Mohanty, Advocate

-versus-

State of Odisha

Opposite Party

Mr. M.K. Mohanty, 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. 341/294/323/325/307/427/506/34, I.P.C. in connection with Balikuda P.S. Case No.482 of 2022 corresponding to G.R. Case No.1676 of 2022 pending in the court of learned S.D.J.M., Jagatsinghpur.
 3. Keeping in view the submissions 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, 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 S.D.J.M., Jagatsinghpur 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 the Injury Report. If the injuries allegedly to have been sustained by the informant party are found to be grievous in nature, this order shall not be given effect to. However, if the court allows the Petitioners to bail the following conditions be imposed besides the one the court imposes.

- (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.
- (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 of the Petitioners.

4. The ABLAPL is disposed of accordingly.

(Chittaranjan Dash)
Judge

S.K. Parida