

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No. 14814 of 2022

***Kishore Chandra Dash and
Another*** ***Petitioners***

Mr. Manoj Bihari Das, Advocate

-versus-

State of Odisha ***Opp. Party***
Mr. M. K. Mohanty, ASC

**CORAM:
JUSTICE CHITTARANJAN DASH**

**ORDER
05.12.2022**

Order No.

01. 1. Heard learned counsel for the Petitioners and learned counsel for the State.
2. This is an application for bail U/s. 438 Cr.P.C. filed by the Petitioners in apprehension of arrest for their alleged involvement in the offences U/s. 341, 294, 323, 324, 354 & 506/34 of IPC.
3. It reveals from the FIR that there is a civil litigation between the parties.
4. Keeping in view the submission of the parties, the nature of allegations as emerged from the materials on record, the circumstances appearing, the seriousness and gravity of the offences, it is directed that in the event the Petitioners surrender and move for bail in connection with Baunsuni PS Case No. 41 of 2022 corresponding to CT Case No. 172 of 2022 pending in the court of learned SDJM, Boudh within a period of three 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, but subject to condition if the alleged injury is not grievous in nature.

5. If the injuries are found to be grievous in nature this bail order shall not be given effect to. However, if the learned court allows the Petitioners to go on bail, then 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 in case no final form is furnished;
- (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, terrorize, 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) They shall not indulge in any other crime of similar nature to the present case, in any manner whatsoever, while on bail.

Violation of any of the conditions shall entail cancellation of bail.

6. The ABLAPL is disposed of accordingly.

(Chittaranjan Dash)
Judge