

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.14845 of 2022

Bachan Bisoi & another

Petitioners
....
Mr. S.S. Ray-2, Advocate

-versus-

State of Odisha

Opposite Party
....
Mr. M.K. Mohanty, A.S.C.

**CORAM:
JUSTICE CHITTARANJAN DASH**

**ORDER
06.12.2022**

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. 379, I.P.C. in connection with Dharakote P.S. Case No.262 of 2022 corresponding to G.R. Case No.1417 of 2022 pending in the court of learned J.M.F.C., Aska.
3. Learned counsel for the Petitioners makes assertive submission that there is no record of criminal antecedents against the present Petitioners.
4. 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 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., Aska 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 criminal antecedents of the Petitioners.

5. If it is found that there is more than one criminal antecedent standing to the credit of the Petitioners, this order shall not be given effect to. However, in case the learned Magistrate allows the Petitioners to go on bail being satisfied that no antecedent stands to the credit of the Petitioners, 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;
- (ii) They shall also appear before the trial court on each date of trial, without fail.
- (iii) They shall not indulge in any other offence or criminal activities similar to the present case in any manner whatsoever, while on bail.
- (iv) Violation of any of the conditions shall entail cancellation of bail of the Petitioners.

6. The ABLAPL is disposed of accordingly.

(Chittaranjan Dash)
Judge

S.K. Parida