

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.15230 of 2022

Rohit Malik and others

Petitioners
....
Mr. Dillip Ray, Advocate

-versus-

State of Odisha

Opp. Party
....
Mr. Debasis Biswal, ASC

**CORAM:
JUSTICE CHITTARANJAN DASH**

**ORDER
16.12.2022**

Order No.

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 apprehension of arrest for their alleged involvement in the offences U/s.341/509/325/354/506/379/34 IPC.
3. It is submitted by learned counsel for the Petitioners that both the parties are in loggerhead concerning the comment made on the daughter of the informant and a case and counter case have been filed.
4. Considering the aforesaid facts, the circumstances appearing, the seriousness and gravity of the offences, while this Court is not inclined to grant anticipatory bail, it is directed that in the event the Petitioners surrender in connection with Chudamani Marine P.S. Case No.144 of 2022 corresponding to G.R. Case No.1022 of 2022

pending in the court of learned J.M.F.C., Basudevpur 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 file an undertaking before the learned court below along with the application for bail to the effect that they shall not resort to any such activity whereby it will intimidate the informant party; shall not harass or comment the daughter of the informant; 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 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 the injury sustained by the injured is 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