

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.15424 of 2022

Babaji Charan Prusty & others

Petitioners

....
Mr.R.R.Mishra, Advocate

-versus-

State of Odisha

.... ***Opposite Party***
Mr.S.S.Pradhan, A.G.A.

**CORAM:
JUSTICE A.K.MOHAPATRA**

ORDER
19.12.2022

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioners, learned Addl. Government Advocate for the State. Perused the records.
3. This is an application under Section 438, Cr.P.C. filed by the Petitioners for anticipatory bail, involving offence punishable under Sections 323, 294, 307, 452, 506, 354/34 of the Indian Penal Code.
4. Considering the seriousness of the allegation, gravity of the offence and the facts of the case, although I am not inclined to grant anticipatory bail to the Petitioners, however it is observed that, in the event the Petitioners surrender and move for bail before the learned Nyadhikari, Gramya Nyalaya-cum-J.M.F.C., Ghasipura in G.R.(GN)Case No.641 of 2022 arising out of Ghasipura P.S.Case No.369 of 2022 within a period of three weeks from today, they shall be released on bail on such terms and conditions as the learned Magistrate may deem just and proper in the facts and circumstances

of the case, but subject to verification of injury report and criminal antecedents of similar nature. In the event it is found that grievous injury has been caused, then this order shall not be given effect to. And also in the event the Petitioner has similar criminal antecedents then this order shall not be given effect to. The Case Diary, Criminal Antecedents and the Injury Report be made available before the court below at the time of surrender of the Petitioners.

5. The ABLAPL is disposed of accordingly.
6. Urgent certified copy of this order be granted as per rules.



RKS