

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No. 15496 of 2022

Prafulla Jena @ Prafulla Kumar* *Petitioners
Jena & others

Mr. Lalitendu Bhuyan, Advocate

-versus-

State of Odisha* *Opp. Party

Mr. M.K. Mohanty, ASC

CORAM:
JUSTICE CHITTARANJAN DASH

ORDER
19.12.2022

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. 341/323/294/354/506/34 IPC.
3. Keeping in view the 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 Nandipada P.S. Case No.265 of 2022 corresponding to G.R. Case No.430 of 2022 pending in the court of learned J.M.F.C, Hatadihi within a period of three weeks hence and they shall be released on such terms and conditions as would be deemed just and proper by the said court. 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.
- (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, intimidate or terrorize the Informant in any manner;
- (iv) they shall not tamper with the prosecution evidence in any manner whatsoever and
- (v) they shall not indulge in any other crime of similar nature or otherwise to the present case, in any manner whatsoever, while on bail.

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

4. 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, the order of this Court shall not be given effect to and the court shall be free to deal with matter of bail according to its merit without further reference to the present.

5. The ABLAPL is disposed of accordingly.

(Chittaranjan Dash)
Judge