

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.15524 of 2022

Artatran Naik & others

....

Petitioners

Mr. Pradeep Kumar Panda, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. Debasish Biswal, A.S.C.

CORAM:

JUSTICE CHITTARANJAN DASH

ORDER

19.12.2022

Order No.

01.

1. Heard the learned counsels 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. 294/323/353/307/506/34, I.P.C., in connection with Banarpal P.S. Case No.404 of 2022 corresponding to G.R. Case No.1173 of 2022 pending in the court of learned J.M.F.C., Banarpal.

3. Considering the submission of the learned counsels for the parties, nature of allegations, the circumstances appearing and 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 and move for bail before the learned J.M.F.C., Banarpal 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 antecedent and injury.

4. If it is found that there is more than one antecedent to the credit of the Petitioners or the injuries to be grievous, this order shall not be given effect to and the learned court below shall be free to deal with the bail application according to law. However, if the learned court below intends to allow the bail the following further conditions be imposed –

- (i) The Petitioners shall appear before the I.O. and shall cooperate with the investigation as and when required;
- (ii) They shall give an undertaking before the police that they will not resort to any such unruly activities in any manner in future and shall not participate in any such activities in any manner whatsoever.
- (iii) They shall not threaten, intimidate, terrorise, 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, while on bail.
- (iv) Violation of any of the conditions shall entail cancellation of bail of the Petitioner.

5. The ABLAPL is disposed of accordingly.

(Chittaranjan Dash)
Judge

S.K. Parida