

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.15708 of 2022

Goutam Routray and others ***Petitioners***
Mr. Manas Kumar Chand, Advocate
-versus-

State of Odisha ***Opp. Party***
Mr. P.C. Das, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

20.12.2022

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the petitioners and learned Additional Standing Counsel for the State.
3. This is an application under Section 438, Cr.P.C. filed by the petitioners for anticipatory bail.
4. The petitioners seeking pre-arrest bail in connection G.R. Case No.738 of 2022, arising out of Nirakarpur P.S. Case No.253 of 2022 pending in the court of learned J.M.F.C., Tangi for commission of offence punishable under Sections 452/294/323/354/354-B/506/34, I.P.C.
5. Learned counsel for the petitioners submits that he does not want to press the bail application so far as the petitioner No.1 is concerned. Accordingly, the bail application in respect of the petitioners No.1 stands dismissed as not pressed.
6. Considering the nature of allegation, gravity of offence and the fact of the case, I am not inclined to grant anticipatory bail to the

petitioner nos.2 and 3. However, it is directed that in the event the petitioner nos.2 and 3 surrender and move an application for bail before the learned court in seisin over the matter within a period of three weeks from today in the aforesaid case, they shall be released on bail on such terms and conditions as would be deemed just and proper with further conditions that :-

- I. The petitioner nos.2 and 3 shall cooperate with the Investigating Officer as and when required for the purpose of investigation; and
- II. they shall not threaten, harass and terrorize the informant and her /his family members in any manner whatsoever.

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

7. It is further directed that the bail granted to the petitioners are subject to the condition that the learned court below shall verify whether the petitioner nos. 2 and 3 have any criminal antecedents of similar nature. In the event it is found that the petitioner nos. 2 and 3 have any criminal antecedents of similar nature, this bail order shall automatically stand revoked. Case diary along with criminal antecedents be made available to the court below on date of surrender.

8. Accordingly, the ABLAPL is disposed of.

Urgent certified copy of this order be granted on proper application.

(A.K. Mohapatra)
Judge

