

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.15732 of 2022

***Susanta Kumar Pradhan &
Others***

.... Petitioners

Mr. Amitav Tripathy, Advocate

-versus-

State of Odisha

.... Opposite Party

Mr. Debasish Biswal, A.S.C.

**CORAM:
JUSTICE CHITTARANJAN DASH**

Order No.

**ORDER
20.12.2022**

- 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. 498-A/294/341/323/506/34, I.P.C. and Section 4 of the D.P. Act, in connection with Nayagarh P.S. Case No.34 of 2022 corresponding to G.R. Case No.176 of 2022 arising out of I.C.C. Case No.16 of 2021 pending in the court of learned S.D.J.M., Nayagarh.
 3. It is submitted by the learned counsel for the Petitioners that, basing on the initial complaint, the learned Court forwarded the matter under Section 156(3), Cr.P.C. for investigation by the police. However, before a report came from the police, subsequently the Court under Section 202, Cr.P.C. took cognizance and issued process against the present Petitioners. The Petitioners having appeared in the court, were released on bail. In the meanwhile the Police on the basis of the direction of the Court under Section

156(3), Cr.P.C. has registered a case and accordingly the present Petitioners are apprehending arrest.

4. Considering the aforesaid facts and submission, nature of allegations, 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 and move for bail before the learned S.D.J.M., Nayagarh 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 the following further conditions –

- (i) The Petitioners shall appear before the I.O. and shall cooperate with the investigation as and when required;
- (ii) They shall appear in person before the trial court on each date of posting of the case unless specifically exempted by the court concerned.
- (iii) They shall not threaten, intimidate, terrorise, ill-treat or harass the Informant and her 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 Petitioners.

5. The ABLAPL is disposed of accordingly.

(Chittaranjan Dash)
Judge