

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.15739 of 2022

Kapileswar Behera & another

....

Petitioners

Mr. S.K. Bhanjadeo, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. Debasish Biswal, A.S.C.

CORAM:

JUSTICE CHITTARANJAN DASH

ORDER

20.12.2022

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. 498-A/294/323/307/506/34, I.P.C. and Section 4 of the D.P. Act, in connection with Baghamari P.S. Case No.183 of 2022 corresponding to G.R. Case No.84 of 2022 pending in the court of learned S.D.J.M., Khurda.

3. Considering the nature of allegations and 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., Khurda 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, the Informant party 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.
4. The ABLAPL is disposed of accordingly.

(*Chittaranjan Dash*)
Judge

S.K. Parida

