

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.15809 of 2022

Damayanti Sahu and others ***Petitioners***
Mr. J. Panda, Advocate

-versus-

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

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

21.12.2022

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. Perused the case diary.
3. This is an application under Section 438, Cr.P.C. filed by the petitioners for anticipatory bail.
4. The petitioners are seeking pre-arrest bail in connection with C.T. Case No.742 of 2022, arising out of Kegaon P.S. Case No.262 of 2022 pending in the court of learned S.D.J.M., Dharamgarh for commission of offences punishable under Sections 294/307/323/325/34/341/506, I.P.C.
5. It is submitted by learned counsel for the petitioners that although the petitioners are present at the spot, they have not participated in the alleged crime. It is further submitted that one Thabira Sah, who is the principal accused, assaulted the father of the informant.
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

petitioners. However, it is directed that in the event the petitioners 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.

7. Accordingly, the ABLAPL is disposed of.

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

(A.K. Mohapatra)
Judge

Jagabandhu

