

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.15894 of 2022

***Biswanath Behera @ Bishu Behera
and others***

Petitioners

....
Mr.Tara Pr.Mohapatra, Advocate

-versus-

State of Odisha

.... ***Opposite Party***

Mr.P.C.Das, 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, learned Addl. Standing Counsel for the State. Perused the records.
3. This is an application under Section 438, Cr.P.C. filed by the Petitioners for anticipatory bail, involving offence punishable under Sections 147, 148, 452, 323, 341, 294, 506, 427, 354, 324, 379/149 of the Indian Penal Code.
4. Considering the seriousness of the allegation, gravity of the offence and the facts of the case, although I am not inclined to grant anticipatory bail to the Petitioners, however it is observed that, in the event the Petitioners surrender and move for bail before the learned Nyayadhikari Gramanyayalaya, Brahmagiri in G.R.G.N.Case No.424 of 2022 arising out of Arkhakuda Marine P.S.Case No.46 of 2022 within a period of three weeks from today, they shall be released on bail on such terms and conditions as the learned Magistrate may

deem just and proper in the facts and circumstances of the case, but subject to verification of criminal antecedents of similar nature. In the event the Petitioner has more than one criminal antecedents of similar nature then this order shall not be given effect to.

While imposing conditions for bail, learned Magistrate shall also impose the following additional conditions –

- (i) The Petitioners shall not threaten, influence, terrorise or harass the informant and her family members in any manner whatsoever while on bail;
 - (ii) The Petitioners shall not indulge in similar nature of offence while on bail.
5. The ABLAPL is disposed of accordingly.
 6. Urgent certified copy of this order be granted as per rules.

(A.K. Mohapatra)
Judge