

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.15913 of 2022

Tapan Baroi & Others

....

Petitioners

Mr. Pranab Kumar Das, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. Shashanka Patra, A.S.C.

CORAM:

JUSTICE CHITTARANJAN DASH

ORDER

21.12.2022

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. 379/109/34, I.P.C. in connection with M.V.-79 P.S. Case No.144 of 2022 corresponding to G.R. Case No.641 of 2022 pending in the court of learned J.M.F.C., Motu.

3. Learned counsel for the Petitioners submits that the present Petitioners have no other criminal antecedents to their credit except the present case.

4. Considering the submission of the learned counsel for the Petitioners, nature of allegations, the circumstances appearing and 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 J.M.F.C., Motu 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 verification of Criminal Antecedents of the Petitioners.

5. If it is found that there is more than one antecedent to the credit of the present Petitioners, this order shall not be given effect to. However, if the learned Magistrate is satisfied that there is not more than one criminal antecedent against the Petitioners and admits the Petitioners to bail, the following further conditions be imposed –

- (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 indulge in any other offence of similar nature to the present case in any manner whatsoever, while on bail.
- (iv) Violation of any of the conditions shall entail cancellation of bail of the Petitioner.

6. The ABLAPL is disposed of accordingly.

(Chittaranjan Dash)
Judge

S.K. Parida