

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.16160 of 2022

***Bapun @ Satyajit Beura and
another***

.... Petitioners

Mr. B.R. Dalai, Advocate

-versus-

State of Odisha

.... Opp. Party

Mr. M.K. Mohanty, ASC

**CORAM:
JUSTICE CHITTARANJAN DASH**

**ORDER
22.12.2022**

Order No.

01.

1. Heard learned counsel for the Petitioners and the State.
2. This is an application for bail U/s.438 Cr.P.C. filed by the Petitioners in apprehension of arrest for their alleged involvement in the offences U/s.341/323/325/379/506/34 IPC.
3. It is submitted by learned counsel for the Petitioners that the present FIR has been lodged by the mother pursuant to a domestic quarrel. It is further submitted that the alleged injury for which the injured was taken to SCB Medical College and Hospital, Cuttack is a myth.
4. In such eventuality, keeping in view of the submissions made, 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 in connection

with Tirtol P.S. Case No.704 of 2022 corresponding to G.R. Case No.658 of 2022 pending in the court of learned J.M.F.C., Tirtol within a period of two weeks' hence and move for bail, they shall be released on such terms and conditions as would be deemed just and proper by the said court with further conditions that they shall appear in person before the court below on each date of posting of the case unless specifically exempted by the court concerned; shall appear before the IO as and when required; shall not threaten or intimidate the Informant party in any manner whatsoever and shall cooperate with the investigation. Violation of any of the conditions shall entail cancellation of bail of the Petitioners.

5. It is made clear that the learned court below shall verify the criminal antecedent of the Petitioners. In case more than one antecedent is noticed and/or the injury sustained by the injured is grievous, the order of this Court shall not be given effect to and the court shall be free to deal with the matter of bail according to its merit without further reference to the present.

6. The ABLAPL is disposed of.

(Chittaranjan Dash)
Judge