

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.16178 of 2022

Pradip Sandha & Others

.... ***Petitioners***
Mr. Afraaz Suhail, Advocate

-versus-

State of Odisha

.... ***Opposite Party***
Mr. M.K. Mohanty, A.S.C.

**CORAM:
JUSTICE CHITTARANJAN DASH**

Order No.

**ORDER
22.12.2022**

- 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. 143/147/341/294/506/149, I.P.C. in connection with Harabhanga P.S. Case No.108 of 2022 arising out of C.T. Case No.270 of 2022 pending in the court of learned J.M.F.C., Harabhanga.
 3. Learned counsel for the Petitioners submits that due to previous enmity between the parties, F.I.R. has been lodged against the present Petitioners, though the statement recorded under Section 161, Cr.P.C. does not indicate about the involvement of the present Petitioners. He further submits that some of the co-accused persons in the similar footing with the present Petitioners have already been released on bail by this Court, vide order dated 20.12.2022 passed in ABLAPL No.15240 of 2022.

4. Considering the submissions of the learned counsels for the parties, nature of allegations as emerged from the materials on record, the circumstances appearing and the seriousness and gravity of the offences, while this court is not inclined to grant anticipatory bail, however it is directed that, in the event the Petitioners surrender and move for bail before the learned J.M.F.C., Harabhanga in the aforesaid C.T. 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, ill-treat or harass the Informant and his family members including the prosecution witnesses in any manner and shall not tamper with the prosecution evidence in any manner whatsoever, while on bail.
- (iv) They shall not indulge in any other crime of similar nature to the present case in any manner whatsoever, while on bail.
- (v) Violation of any of the conditions shall entail cancellation of bail of the Petitioners.

5. The ABLAPL is disposed of accordingly.

(Chittaranjan Dash)
Judge