**IN THE HIGH COURT OF ORISSA AT CUTTACK**
**ABLAPL No.13985 of 2024**

***1) Rajat Pradhan @ Rajit Pradhan*** ..... ***Petitioners***

2) Kuna Pradhan

Represented By Adv. - Sujit Kumar Pattnaik

*-versus-*

***State Of Odisha*** ..... ***Opposite Parties***

Represented By Adv. – Mr.Samaresh Jena, ASC

**CORAM:**
**THE HON'BLE MR. JUSTICE ADITYA KUMAR MOHAPATRA**
**ORDER**
**12.12.2024**

**Order No.**

1. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).

2. Learned counsel for the Petitioners does not want to press the present application in respect of Petitioner No.1 since the Petitioner No.1 has been arrested in the meantime. The ABLAPL is disposed of in respect of Petitioner No.1.

3. Heard learned counsel for the Petitioners as well as learned Additional Standing Counsel for the State. Perused the records.

4. This is an application under Section 438 Cr.P.C. filed by the Petitioners for anticipatory bail, involving offence punishable under Sections 296, 221, 126(2), 115(2), 132, 109, 351(2), 112, 3(5) of the B.N.S., 2023

read with Section 3/4 of Orissa Prevention of Gambling Act, 1955.

5. It is stated by the learned counsel for the Petitioner No.2 that the Petitioner No.2 has been falsely implicated in the present case due to previous political rivalry. He also submitted that the injured has not sustained any injury. Further, he submitted that although the Petitioner No.2 is having some criminal antecedents, however he is ready and willing to abide by the terms and conditions that would be imposed in the event of his release on bail.

6. Learned Additional Standing Counsel for the State on the other hand objected to the release of the Petitioner on pre-arrest bail on the ground that the Petitioner No.2 is having several criminal antecedents and that in the event he is released on bail he might abscond from justice which would cause delay in conclusion of investigation as well as trial.

7. Considering the submissions made by learned counsels for the respective parties, on careful examination of the materials on record, further keeping in view the fact that the injuries are simple in nature, the Petitioner is directed to surrender and move an application for bail before the learned J.M.F.C., Digapahandi in Nuagaon P.S.Case No.369 of 2024 within a period of four weeks from today. In such eventuality, learned court in seisin over the matter shall do well to release the Petitioners on bail on such terms and conditions as the learned Magistrate may deem just

and proper in the facts and circumstances of the case. Release of the Petitioners shall be subject to the following conditions:

i) shall cooperate with the investigation and appear before the I.O. as and when required for the purpose of investigation;

ii) shall not indulge in similar nature of offence while on bail ;

iii) shall appear before the local P.S. once in a fortnight preferably on Sunday between 10 A.M. to 1 P.m. for a period of three months.

8. Additionally, the Petitioner No.2 shall furnish a cash security of Rs.4,000/- (Rupees Four thousand) before the learned court in seisin over the matter, and shall be kept in any Nationalised Bank in interest bearing account initially for a period of one year which will be renewable from time to time till conclusion of trial and the same shall be abide by the final outcome of the trial of the case.

Violation of conditions shall entail cancellation of bail.

9. The ABLAPL is disposed of accordingly.

10. Issue urgent certified copy of this order as per Rules.

***( ADITYA KUMAR MOHAPATRA)***
***JUDGE***

RKS

Signature Not Verified
Digitally Signed
Signed by: RAMESH KUMAR SINGH
Reason: Authentication
Location: High Court of Orissa
Date: 17-Dec-2024 14:51:36