

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.2881 of 2023

Guru @ guru Charan Behera & Others ***Petitioners***

Mr. Pratap Keshari Deo, Advocate

-versus-

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

**CORAM:
JUSTICE CHITTARANJAN DASH**

**ORDER
31.03.2023**

Order No.

01.

1. Heard the learned counsel 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. 341/323/506/34, I.P.C. in connection with Pandapada P.S. Case No.50 of 2023 corresponding to G.R. Case No.249 of 2023 pending in the court of the learned S.D.J.M., Keonjhar.
3. Having regard to the facts and circumstances of the case, nature of the allegations, 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 S.D.J.M., Keonjhar in the aforesaid G.R. Case No.249 of 2023 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.

4. If it is found that there is any other criminal antecedent to the credit of the present Petitioners besides the present issue, this order shall not be given effect to. However, if the learned Magistrate is satisfied that there is no other criminal antecedent standing to the credit of the present Petitioners except the present issue and admits the Petitioners to bail, the following further conditions be imposed –

(i) The Petitioners shall appear before the I.O. once in a week on such date and time to be fixed by the I.O concerned and shall cooperate with the investigation as and when required.

(ii) They shall also appear before the trial court on each date of posting of the case unless specifically exempted from such appearance by the court in seisin over the matter.

(iii) They shall not threaten, terrorise, intimidate or harass the Informant party members as well as the prosecution witnesses in any manner and shall not tamper with the prosecution evidence in any manner whatsoever, while on bail.

(iv) Violation of any of the conditions shall entail cancellation of bail of the Petitioners.

5. The ABLAPL is disposed of accordingly.

(Chittaranjan Dash)
Judge

S.K. Parida