

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.1337 of 2024

Gunanidhi Sahoo & anr.

Petitioners

....

Mr. S.K. Baral, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. A.P.Das, A.S.C.

**CORAM:
JUSTICE A.K.MOHAPATRA**

**ORDER
29.02.2024**

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioners, learned Addl. Standing Counsel for the State. Perused the records.
3. This is an application under Section 438, Cr.P.C. filed by the Petitioners for anticipatory bail, involving offence punishable under Sections 147/148/323/325/307/353/332/333/354/294/506/149 of the Indian Penal Code read with Section 3 of P.D.P.P. Act, 1984.
4. It is submitted that learned counsel for the petitioners that the allegations made against the petitioners the injuries are simple in nature. He further submitted that they have been falsely implicated in the present case.

5. Considering the seriousness of the allegation, gravity of the offence and the facts of the case, although I am not inclined to grant anticipatory bail to the Petitioners, however it is observed that, in the event the Petitioners surrender and move for bail before the learned S.D.J.M., Athagarh in C.T. Case No.404 of 2023 arising out of Khutuni P.S. Case No.146 of 2023 within a period of four weeks from today, they shall be released on bail on such terms and conditions as the learned Magistrate may deem just and proper in the facts and circumstances of the case.

6. Further, the Petitioners shall be released on bail on such terms and conditions as would be deemed just and proper with further conditions that :-

- I. they shall not harass, threaten and terrorize the informant or family members;
- II. they shall cooperate with the investigation and shall appear before the Police Station as on when required by I.O. for the purpose of investigation.
- III. they shall not indulge in similar nature of offence while on bail.

Violation of any of the terms and conditions shall entail cancellation of bail.

7. It is further directed that the bail granted to the Petitioners are subject to depositing a cash security of Rs.1,000/- (Rupees one thousand) each before the learned Court in seisin over the matter, which shall be kept in any Nationalized 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.

8. The ABLAPL is disposed of accordingly.
9. Urgent certified copy of this order be granted as per rules.

(A.K. Mohapatra)
Judge

Anil



Signature Not Verified

Digitally Signed
Signed by: ANIL KUMAR SAHOO
Designation: Junior Stenographer
Reason: Authentication
Location: High Court of Orissa
Date: 04-Mar-2024 12:59:18

