

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.9854 of 2023

Anita Senapati & Ors.

.... ***Petitioners***
Mr. S.Rath, Advocate

-versus-

State of Odisha

.... ***Opposite Party***
Mr. A.P.Das,A.S.C.

CORAM:
JUSTICE A.K.MOHAPATRA

ORDER
25.09.2023

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 376(1)/506/417/34 of the Indian Penal Code.
4. It is stated by the learned counsel for the petitioners are ready and willing to refund the admitted dues by some time is granted by this Court. He further submitted that the intention of the petitioner were not to cheat to the informant, because of the financial difficulty, they were unable to refund the money.
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

J.M.F.C., Nimapara, in G.R. Case No.880 of 2023 arising out of Nimapara P.S. Case No.309 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 released on bail subject to condition that the petitioners shall refund Rs.1,80,000/- within a period of two months to the informant. Violation of such conditions shall entail cancellation of the bail application. In the event, the amount is not paid to the informant the liberty is granted to the informant to move this court for recalling this order.

7. The ABLAPL is disposed of accordingly.

8. Urgent certified copy of this order be granted as per rules.

(A.K. Mohapatra)
Judge

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Signature Not Verified

Digitally Signed
Signed by: RUBI BEHERA
Reason: Authentication
Location: High Court of Orissa, Cuttack
Date: 02-Oct-2023 15:29:35

