

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.8470 of 2023

Akshya Mahananda and another ***Petitioners***
Mr. Jagabandhu Sahu, Advocate

-versus-

State of Odisha ***Opp. Party***
Mr. A.P. Das, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

12.09.2023

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioners and learned Additional Standing Counsel appearing for the Opposite Party-State.
3. This is an application under Section 438, Cr.P.C. filed by the Petitioners for pre-arrest bail.
4. The Petitioners are seeking pre-arrest bail in connection with G.R. Case No.58 of 2023, arising out of Saintala P.S. Case No.177 of 2023, pending in the court of learned Additional Sessions Judge-cum-Special Judge (POCSO), Balangir for alleged commission of offences punishable under Sections 363/376(2)(n)/313/34 of the I.P.C. read with Section 6 of the Protection of Children from Sexual Offence Act, 2012.
5. Considering the nature of allegation, gravity of offence and the fact of the case, I am not inclined to grant pre-arrest bail to the

Petitioners. However, it is directed that in the event the Petitioners surrender before the Court in seisin over the matter within a period of four weeks from today and move an application for bail, the Court in seisin over the matter shall release them on bail in connection with the aforesaid case on such terms and conditions as it may deem just and proper in the facts and circumstances of the case with further conditions that the Petitioners shall cooperate with the investigation by remain present in the police station as and when required by the Investigation Officer and shall not threaten, harass, terrorize the informant and her family members in any manner whatsoever while on bail. Violation of any of the terms and conditions shall entail cancellation of bail.

6. Accordingly, the ABLAPL is disposed of.

Urgent certified copy of this order be granted on proper application.

