

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.926 of 2022

Kangali @ Judhistir Jena & others* *Petitioners
Mr. Ashok Kumar Sahoo, Advocate

-versus-

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

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

01.08.2022

Order No.

02. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioners and the learned Additional Standing Counsel. Perused the records.
3. This is an application under Section 438 Cr.P.C. filed by the Petitioners for anticipatory bail.
4. It is submitted by the learned counsel for the Petitioners that there is ongoing civil dispute between the Petitioners and the informant family. It is also submitted by the learned counsel for the Petitioners that a civil suit has been filed where the learned court below has granted an order of status quo with regard to suit schedule land. The present case arises out of a suit with regard to possession over the suit land. It is further submitted by the learned counsel for the Petitioners that the informant and the Petitioners are related as cousin brother and that the injuries are simple in nature.

5. Considering the nature of allegations made, gravity of the offence and the fact of the case, I am not inclined to grant anticipatory bail to the Petitioners. However, it is directed that in the event the Petitioners surrender before the learned S.D.J.M., Kendrapara in G.R.Case No.1844 of 2020 arising out of Marsaghai P.S.Case No.312 of 2020 within a period of three weeks from today and move for bail, they shall be released on bail on such terms and conditions as would be deemed just and proper by the learned Magistrate and subject to verification of injury. It is also directed that the Petitioners shall not threat, influence, harass or terrorise the informant and his family members in any manner whatsoever and they shall abide by the order passed by concerned Civil Court. Violation of any of the conditions shall entail cancelation of bail.

6. The ABLAPL is accordingly disposed of.

7. Issue urgent certified copy of the order as per Rules.

