

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No. 999 of 2022

Premananda Parida and others

.... Petitioners
Mr.S.K.Dwibedi, Advocate

-versus-

State of Odisha

.... Opposite Party
Mr.T.K.Praharaj, Standing Counsel.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

04.02.2022

Order No.

1. This matter is taken up through Video Conferencing mode.
2. Heard learned counsel for both the parties and perused the records.
3. This is an application under section 438 of the Code of Criminal Procedure filed by the Petitioners for anticipatory bail.
4. It is submitted by the learned counsel for the Petitioners that so far as the present Petitioners are concerned, no specific allegation of any overt act has been attributed against the Petitioners. On the contrary, learned counsel appearing for the State submits that one person has sustained head injury, which was caused by one Rajib Parida by means of a bhujali. So far as the present Petitioners are concerned, it is stated that they have only participated in a free fight between two families.
5. Considering the nature of allegations, gravity of offence and 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 J.M.F.C., Bhapur in G.R.Case No.237 of 2021 arising out of Fategarh P.S.Case No.254 of 2021 and move for bail, they shall be released on bail on such terms and conditions as the learned J.M.F.C. may deem just and proper.

5. The ABLAPL is accordingly disposed of.

6. As the restrictions due to resurgence of COVID -19 situation are continuing, learned counsel for the parties may utilize a print out of the order available in the High Court's website, at par with certified copy, subject to attestation by the concerned Advocate, in the manner prescribed vide Court's Notice No.4587, dated 25th March, 2020, modified by Court's Notice No.4798, dated 15th April, 2021, and Court's Office Order circulated vide Memo Nos.514 and 515 dated 7th January, 2022.

RKS

