

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No. 1053 of 2022

Narayan Gouda and others

.... Petitioners
Ms.D.Mohapatra, Advocate

-versus-

State of Odisha

.... Opposite Party
Mr.K.K.Nayak, A.S.C.

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 arising out of Dharakote P.S. Case No.20 of 2022 corresponding to G.R. Case No.80 of 2022 pending in the file of the learned J.M.F.C., Aska.
4. It is submitted by the learned counsel for the Petitioners that the present F.I.R. is a counter blast to the F.I.R. lodged by the informant on the very same day. He further submits that so far as the offence under section 307 of the Indian Penal Code is concerned, it is alleged that the Petitioners pressed the neck of the son of the informant.
5. Considering the nature of allegations, gravity of offence and fact that there is F.I.R. and counter F.I.R. in the present case, I am not

inclined to grant anticipatory bail to the Petitioners. However, it is directed that in the event Petitioners surrender before the court below and move an application for bail, the same shall be allowed and the Petitioners be enlarged on regular bail subject to such terms and conditions as would be deemed fit and proper by the court competent to grant such bail.

6. The ABLAPL is accordingly disposed of.

7. 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

