

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.1193 of 2022

Sk.Tahamul and another

..... Petitioners
Mr.P.R.Chhatoi, Advocate

-versus-

State of Odisha & another

..... Opp. Parties
Mr.S.Patra, A.S.C..

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

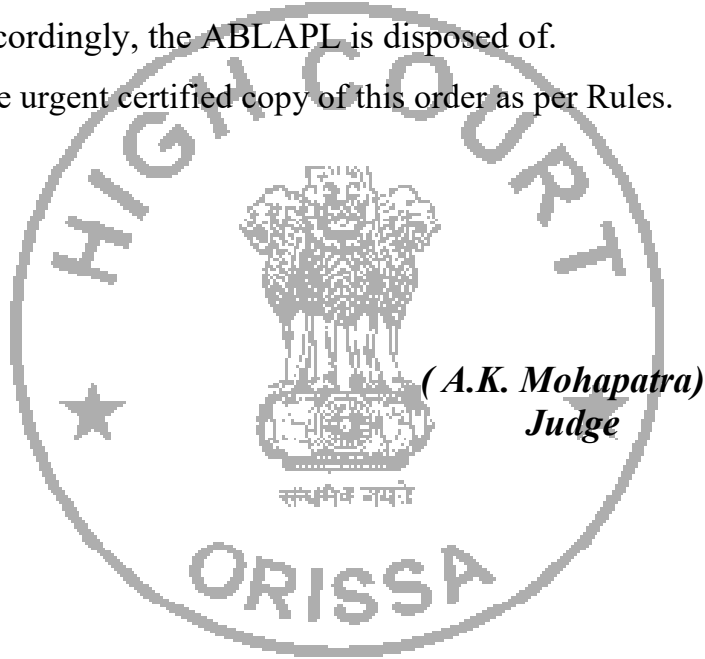
25.08.2022

Order No.

- 04.
1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
 2. Heard learned counsel for the Petitioners and the learned Additional Government Advocate. 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 the present complaint case has been filed 21 years after execution of agreement and power of attorney for development of a plot, Admittedly, there is some disputes between the developer accused and complainant land owner.
 5. However, considering the seriousness of gravity of the offence and further taking into the entirety of the factual allegation, this Court

is 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., Bhubaneswar in I.C.C. Case No.5242 of 2021 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 with further conditions that the Petitioners while of bail shall cooperate with the investigation and shall appear before the I.O. as and when required and appear before the trial court on each and every date fixed. Violation of conditions shall entail cancellation of bail.

6. Accordingly, the ABLAPL is disposed of.
7. Issue urgent certified copy of this order as per Rules.



RKS