

**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**ABLAPL No.1371 of 2022**

***Dipti Ranjan Mohanty and another*** .... ***Petitioners***  
***Mr. D. Sarangi, Advocate***

***-versus-***

***State of Odisha*** .... ***Opp. Party***  
***Mr. P.C. Das, A.S.C.***  
***Ms. Sangita Mohanty, Advocate for the***  
***Informant***

**CORAM:**

**JUSTICE A.K. MOHAPATRA**

**ORDER**

**04.08.2022**

**Order No.**

- 02.
1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
  2. Heard learned counsel for the petitioners and learned Additional Standing Counsel for the State.
  3. This is an application under Section 438, Cr.P.C. filed by the petitioners for anticipatory bail.
  4. The petitioners are seeking pre-arrest bail in connection with C.T. Case No.609 of 2022, arising out of Info City P.S. Case No.19 of 2022 pending in the court of learned S.D.J.M., Bhubaneswar for commission of offence punishable under Sections 452/294/324/326/427/506/34, I.P.C.
  5. It is submitted by learned counsel for the petitioners that the petitioners are husband and wife and they are working in a company and that they have been falsely implicated in the present case.
  6. It is submitted learned counsel for the informant that the

informant and the petitioners are neighbours.

7. Mr. Sarangi, learned counsel for the petitioner submits that the son of the petitioners telephoned the petitioners to ill-treatment by the informant and his wife and thereafter, the petitioners reached at the spot and that they assaulted the informant, who had sustained some injuries.

8. Learned counsel for the informant submits that while the petitioners knocked at the door, the door opened by the informant and his wife the petitioners suddenly entered inside the house and assaulted them brutally as a result of which they sustained injuries and there is also a fracture injury. Hence, the present F.I.R. has been lodged.

9. Learned counsel for the State opposes the bail of the petitioners and submits that the injuries sustained by the injured are grievous in nature.

10. Having heard learned counsel for the respective parties and upon careful consideration of the facts and circumstances of the case and further taking into consideration the back ground of both the families, this Court directs that the petitioners surrender and move an application for bail. In the event the petitioners surrender and move an application for bail before the learned court in seisin over the matter within a period of three weeks from today in the aforesaid case, they shall be released on bail on such terms and conditions as would be deemed just and proper with further conditions that petitioners shall not harass, torture, threaten or terrorize the informant and his/her family members in any manner whatsoever while on bail and they shall not default in attendance of the court during trial on each date of posting till conclusion of trial.

Violation of any of the terms and conditions shall entail cancellation of bail.

11. Accordingly, the ABLAPL is disposed of.

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

**( A.K. Mohapatra )**  
**Judge**

Jagabandhu

