

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.1447 of 2022

Jagannath @ Chagala Nayak and others ***Petitioners***

Mr. Jayadeba Behera, Advocate

-versus-

State of Odisha ***Opp. Party***
Mr.M.K.Mohanty,A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

17.08.2022

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. Although initially the case was registered under sections 341, 323, 325/34 of the Indian Penal Code, but subsequently Section 307 of the Indian Penal Code is added. Therefore, the present bail application is filed.
 5. It is submitted by the learned counsel for the Petitioners that one Rajit, who is the principal accused in this case, who had assaulted the father of the informant. So far as the present Petitioners

is concerned, the only allegation against them is that they were present at the spot.

6. 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 J.M.F.C., Ranpur G.R.Case No.408 of 2021 arising out of Ranpur P.S.Case No.268 of 2021 within a period of three weeks from today and moves for bail, he shall be released on bail on such terms and conditions as would be deemed just and proper by the learned Magistrate.

7. Accordingly, the ABLAPL is disposed of.

8. Issue urgent certified copy of this order as per Rules.



RKS