

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.1923 of 2022

Gopala Das and others

Petitioners

....
Mr. D. Moahapatra, Advocate

-versus-

State of Odisha

Opp. Party

....
Mr. S. Patra, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

11.08.2022

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 G.R. Case No.225 of 2022, arising out of Khallikote P.S. Case No.102 of 2022 pending in the court of learned J.M.F.C., Khallikote for commission of offence punishable under Sections 341/323/324/307/506/34, I.P.C.
5. It is submitted learned counsel for the petitioners that due to political rivalry scuffled between the two groups as a result of which the injured sustained minor injuries. It is further submitted by learned counsel for the petitioners that the petitioners do not have any criminal antecedents.

6. Considering the nature of allegation, gravity of 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 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.

7. It is further directed that the bail granted to the petitioners is subject to the condition that learned court below shall verify whether injuries sustained by the injured are grievous in nature. In the event it is found that the injury is grievous in nature, this bail order shall automatically stand revoked.

8. In view of the order passed in ABLAPL No.8595 of 2022, both the ABLAPLs stand disposed of.

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

Jagabandhu

