

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.2426 of 2021

- 1. Basanta Kumar Das**
- 2. Debajani Das @ Mahapatra**
- 3. Ashutosh Das**
- 4. Bhauatosh Das @ Bhavatosh Das** **Petitioners**

Mr.J.Sahoo, Advocate

-versus-

State of Odisha **Opp. Party**

*Mr.J.P. Patra,
Addl. Standing Counsel*

**CORAM:
JUSTICE S.K. SAHOO**

**ORDER
15.02.2022**

Order No.

03. This matter is taken up through Hybrid arrangement (video conferencing/physical mode).

Heard learned counsel for the petitioners and learned counsel for the State.

This is an application under section 438, Cr.P.C. for grant of anticipatory bail to the petitioners in connection with Gram Ganjam P.S. Case No.25 of 2021 corresponding to G.R. Case No. 88 of 2021 pending in the Court of learned S.D.J.M., Chhatrapur for alleged commission of offences under sections 447, 323, 427, 379, 294, 506/34 of the Indian Penal

Code.

Learned counsel for the State on instruction submitted that notices as contemplated under section 41-A of Cr.P.C. have been served on petitioner no.3 Ashutosh Das and petitioner no.4 Bhavatosh Das @ Bhavatosh Das.

In view of such submission, since there is no apprehension of arrest of petitioner nos.3 and 4, this anticipatory bail application stands disposed of so far as petitioner nos.3 and 4 are concerned.

Considering the submission made by the learned counsel for petitioner nos.1 and 2 that due to previous dispute between the parties, the case has been foisted against petitioner nos.1 and 2 and the offences are triable by Magistrate and on hearing the learned counsel for the State, the interim order dated 17.03.2021 so far as petitioner nos.1 and 2 are concerned, is made absolute.

The ABLAPL is accordingly disposed of.

Issue urgent certified copy as per Rules.

(S.K. Sahoo)
Judge

PKSahoo