

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.2616 of 2022

Biswaranjan Pradhan & Others ***Petitioners***
Mr. Amitav Tripathy, Advocate

-versus-

State of Odisha & another ***Opposite Parties***
Mr. P.C. Das, A.S.C.
Mr. S.K. Pradhan-3, Adv. (for Informant)

CORAM:
JUSTICE A.K.MOHAPATRA

ORDER
16.08.2022

Order No.

02. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioners and learned Addl. Standing Counsel for the State.
3. This is an application under Section 438, Cr.P.C. filed by the Petitioners for anticipatory bail.
4. Mr. Tripathy, learned counsel for the Petitioners submits that while filing charge-sheet, offence under the S.C.& S.T. (PA) Act as well as Sections 25 & 27 of Arms Act have been deleted by police. Therefore, charge-sheet has been filed under Sections 294/341/323/324/506/34, I.P.C.
5. Considering such submission, nature of the allegation, gravity of the offence and facts of the case, although I am not inclined to grant anticipatory bail to the Petitioners, however it is observed that, in the event the Petitioners surrender and move for

bail before the learned Special Judge under SC & ST (POA) Act, Nayagarh in Special G.R. Case No.29 of 2022 corresponding to Nuagaon P.S. Case No.43 of 2022 within a period of three weeks from today, they shall be released on bail on such terms and conditions as the learned Special Judge may deem just and proper in the facts and circumstances of the case, but subject to verification of the fact that while filing charge-sheet, the offences of the aforesaid Sections have been deleted from the charge-sheet, as submitted by learned counsel for the Petitioners.

6. The ABLAPL is disposed of accordingly.
7. Urgent certified copy of this order be granted as per rules.

(A.K. Mohapatra)
Judge

