

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.3973 of 2022

Laxman Baral and others

Petitioners
Mr. M.K. Chand, Advocate

-versus-

State of Odisha

Opp. Party
Mr. S. Patra, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

25.08.2022

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.114 of 2022, arising out of Banapur P.S. Case No.127 of 2022 pending in the court of learned J.M.F.C., Banapur for commission of offence punishable under Sections 341/323/294/506/34, I.P.C. read with Sections 9-B/3 and 4 of the Explosive Substance Act.
5. It is submitted by learned counsel for the petitioners that there is a dispute between the two groups as a result of which there is a case and counter registered by either side. It is further submitted that the first F.I.R. was lodged by the petitioners group and the present

F.I.R. has been lodged by the informant group. It is also submitted by learned counsel for the petitioners that the principal accused, namely, Somanath Baral. So far as the present petitioners are concerned, they are present at the spot and they have no criminal antecedents.

6. Considering the nature of allegation, gravity of offence and the facts 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, 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 the petitioners have any criminal antecedents of similar nature. In the event it is found that the petitioners have any criminal antecedents of similar nature, this bail order shall automatically stand revoked.

8. Accordingly, the ABLAPL is disposed of.

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

(A.K. Mohapatra)
Judge