

**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**ABLAPL No.4465 of 2022**

***Balakrushna Panda & Others*** .... ***Petitioners***

*Mr. Bibhu Prasad Das, Advocate*

*-versus-*

***State of Odisha***

.... ***Opposite Party***

*Mr. Shashank Patra, A.S.C.*

*Mr. Harekrushna Dash, Adv. for Informant*

**CORAM:**

**JUSTICE A.K.MOHAPATRA**

**ORDER**

**05.09.2022**

**Order No.**

02. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioners, learned Addl. Standing Counsel for the State and learned counsel for the Informant.
3. This is an application under Section 438, Cr.P.C. filed by the Petitioners for anticipatory bail, involving offence punishable under Sections 451/294/506/34, I.P.C. and Sections 25 & 27 of Arms Act.
4. Learned counsel for the Petitioners submits that there is previous dispute between two groups with regard to some Trust Properties. He further submits that, at the instance of the Informant several cases have been filed against the present Petitioners falsely implicating them in such cases. He further submits that the Petitioners have not been named in the F.I.R. in the present case.
5. Considering the seriousness of the allegation, gravity of the offence and the 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 S.D.J.M., Gunupur in G.R. Case No.142 of 2022 corresponding to Padmapur P.S. Case No.46 of 2022 within a period of three weeks from today, they shall be released on bail on such terms and conditions as the learned Magistrate may deem just and proper in the facts and circumstances of the case.

While imposing conditions for bail, learned Magistrate shall also impose the following additional conditions –

- (i) While on bail, the Petitioners shall not threaten, terrorise, ill-treat or harass the Informant and his family members in any manner whatsoever.
- (ii) They shall appear before the I.O. and shall cooperate with the investigation as and when required.
- (iii) They shall also appear before the learned trial court on each date of trial, without fail.

Violation of any of the conditions shall entail cancellation of bail of 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**