

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.5659 of 2022

Bhabani Sankar Rath & another ***Petitioners***
Mr. S.K. Lenka, Advocate
-versus-
State of Odisha ***Opposite Party***
Mr. K.K. Nayak, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

13.06.2022

Order No.

01.

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 petitioner for anticipatory bail.
4. Learned counsel for the petitioners submits that there was dispute between the parties and the petitioners assaulted the informant and her husband by fist and kick blows.
5. Learned counsel for the State submits that there was a case and counter case between the petitioners. Initially, the petitioners have lodged an F.I.R. before the police bearing P.S. Case No.83 of 2022 and thereafter, the petitioners have lodged another F.I.R. against the informant and her husband in P.S. Case No.84 of 2022.
6. Learned counsel for the petitioners submits that the present F.I.R. is filed counter blast to the F.I.R. in P.S. Case No.84 of 2022.

7. 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 before the learned J.M.F.C. (Rural), Cuttack in G.R. Case No.1117 of 2022, arising out of Kandarpur P.S. Case No.84 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.

8. Accordingly, the ABLAPL is disposed of.

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

Jagabandhu

