

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.5684 of 2022

***Sukanta Behera @ Chagulu Behera
and others***

Petitioners

*Mr. Anjan Kumar Biswal, Advocate
-versus-*

State of Odisha

***.... Opposite Party
Mr. J.P. Patra, 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. It is submitted by learned counsel for the petitioners that in the meantime, the petitioner No.2-Pradeep Behera @ Chhutu Behera has already been arrested by the police. So far as the bail application of the petitioner no.2 has become infructuous.
5. So far as other petitioners are concerned. Learned counsel for the petitioners submits that there was a case and counter case between the petitioners. Initially, the petitioners have lodged an F.I.R. before the Kaptipada Police Station bearing P.S. Case No.112 of 2022 and thereafter, the informant lodged the present F.I.R. against the

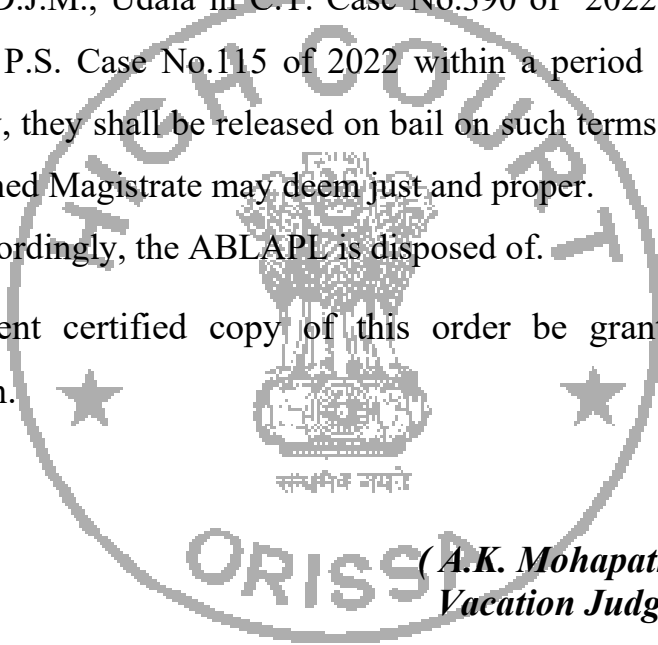
petitioners in Kaptipada P.S. Case No.115 of 2022.

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.112 of 2022. Further, learned counsel for the petitioners submits that as per injury report, the injuries sustained by the injured are simple in nature.

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 petitioner no.1-Sukanta Behera @ Chagulu Behera, Petitioner no.3-Deepak Kumar Behera and petitioner no.4-Chandan Nayak surrender before the learned S.D.J.M., Udala in C.T. Case No.390 of 2022, arising out of Kaptipada P.S. Case No.115 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.



(A.K. Mohapatra)
Vacation Judge