

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.6533 of 2022

Kamalakanta Batu

.... Petitioner
Mr.B.K.Ragada, Advocate

-versus-

State of Odisha

.... Opp.Party
Mr.P.C.Das, A.S.C.
Mr.A.P.Ray, Advocate for informant

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

26.07.2022

Order No.

- 03.
1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
 2. Heard learned counsel for the Petitioner and the learned Additional Standing Counsel. Perused the records.
 3. This is an application under Section 438 Cr.P.C. filed by the Petitioner for anticipatory bail.
 4. Learned counsel for the Petitioner submits that the Petitioner as well as the informant belong to one family. Further it is submitted that the injuries sustained by the injured are simple in nature. The dispute between the two rival groups arose with regard to civil dispute.
 5. Learned counsel for the informant submits that there is a status quo order passed by a competent court and the Petitioner is not abiding the said order and threatened the informant and his family members. Learned counsel for the informant expressed his

apprehension that in the event this Court releases the Petitioner on anticipatory bail, then he will be emboldened and tried to assault the informant and his family members.

6. Considering the nature of allegations made, gravity of the offence and the fact of the case, I am not inclined to grant anticipatory bail to the Petitioner. However, it is directed that in the event the Petitioner surrenders before the learned S.D.J.M, Bhubaneswar in C.T.Case No.3203 of 2022 arising out of Lingaraj P.S.Case No.128 of 2022 within a period of three weeks from today and move for bail, he shall be released on bail on such terms and conditions as would be deemed just and proper by the learned Magistrate with further conditions that the Petitioner shall abide by the order passed by the competent court and shall not cause any disturbance in the law and order problem over the disputed land and he shall not threaten, influence or terrorise the informant and his family members. Violation of any of the conditions shall entail cancellation of bail.

7. The ABLAPL is accordingly disposed of.

8. Issue urgent certified copy of the order as per Rules.

(**A.K. Mohapatra**)
Judge