

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

**ABLAPL No.6863 of 2022**

***Gouranga Panda & another*** .... ***Petitioners***  
*Mr. Soura Chandra Mohapatra, Sr. Advocate*

*-versus-*

***State of Odisha*** .... ***Opposite Party***  
*Mr. Sitikant Mishra, A.S.C.*  
*Mr. Dibyajyoti Sahoo, Advocate (for Informant)*

**CORAM:**  
**JUSTICE A.K.MOHAPATRA**

**ORDER**  
**08.08.2022**

**Order No.**

02. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard Mr. S.C. Mohapatra, learned Senior Counsel for the Petitioners, Mr. S. Mishra, learned Addl. Standing Counsel for the State and Mr. Dibyajyoti Sahoo, 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 147/148/302/307/294/149, I.P.C.
4. On perusal of the bail application, it appears that the Petitioner No.1 – Gouranga Panda is aged about 90 years and Petitioner No.2 – Bauribandhu Panda is aged about 81 years old. Further, as submitted by Mr. Mohapatra, learned Senior Counsel appearing for the Petitioners and on perusal of the F.I.R., it appears that the allegations are omnibus in nature and there is no specific

allegation made against the present Petitioners, so far as the allegation of brutal assault is concerned.

5. Mr. S. Mishra, learned A.S.C. as well as Mr. Sahoo, learned counsel appearing for the Informant vehemently oppose to the bail of the Petitioners.

6. However, considering the facts and circumstances of the case and particularly the old age of the Petitioners, I am inclined to protect them from arrest. Accordingly, it is directed that, in the event of arrest, the Petitioners shall be released on bail by the Arresting Officer in connection with Mahakalapada P.S. Case No.109 of 2022 corresponding to G.R. Case No.1081 of 2022 pending in the Court of learned S.D.J.M., Kendrapara, on such terms and conditions as may be deemed just and proper in the facts and circumstances of the case, but subject to further conditions that, while on bail, the Petitioners shall cooperate with the investigation and shall appear before the I.O. for the purpose of investigation as and when required, and further, they shall appear before the learned trial court on each date of trial, without fail.

Violation of any of the conditions by the Petitioners, shall entail cancellation of bail.

7. The ABLAPL is disposed of accordingly.

8. Urgent certified copy of this order be granted as per rules.

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