

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.6984 of 2022

Chakradhar Majhi and another ***Petitioners***
Mr. P.S.Nayak, Advocate

-versus-

State of Odisha ***Opp. Party***
Mr. M.S. Raizvi, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

18.07.2022

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 petitioners for anticipatory bail.
4. The petitioners seeking pre-arrest bail in connection G.R. Case No.1140 of 2022, arising out of Sabrang P.S. Case No.80 of 2022 pending in the court of learned S.D.J.M., Bhadrak for commission of offence punishable under Sections 341/323/324/325/354/379/506/34 of I.P.C.
5. Considering the nature of allegations and taking into account that even though, F.I.R. was lodged by the I.I.C. Sabrang Police Station. It is submitted by learned counsel for the petitioners that the petitioners are parents-in-law of the informant. While the younger son of the petitioners trying to keep physical relationship with her, she opposed the said deeds but, the present petitioners did not oppose the same.

Thereafter, they assaulted by means of iron rod, fist and kick blows and that the husband of the informant is outside the State for earning their livelihood. It is further submitted that the petitioners are old parents-in-law of the informant and they are not involved in the alleged incident and that a false case has been foisted against them.

6. Taking into consideration 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 court in seisin over the matter within a period of three weeks from today, they shall be released on bail on such terms and conditions as would be deemed just and proper.

7. Accordingly, the ABLAPL is disposed of.

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

Jagabandhu

