

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.7384 of 2022

Raghumani Das and others

.... ***Petitioners***
Mr.S.R.Rout, *Advocate*

-versus-

State of Odisha

.... ***Opp. Party***
Mr. Sitikanta Mishra, *A.S.C.*

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER
20.07.2022

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. Perused the FIR as well as the statement of the petitioners.
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.1193 of 2022, arising out of Derabish P.S. Case No.90 of 2022 pending in the court of learned S.D.J.M., Kendrapara for commission of offence punishable under Sections 147/148/294/457/323/506/149 of I.P.C.
5. It is submitted by learned counsel for the petitioner that there is a civil dispute between the parties for which it is going to the village panchayat to resolve the said dispute. However, since the dispute could not be resolved, the present criminal case initiated against the

petitioner. It is further submitted by learned counsel for the petitioner that a false case has been foisted against the petitioner.

6. Considering the nature of allegations and gravity of offence and the fact of the case, I am not inclined to grant anticipatory bail to the petitioners. However, it is observed that, in the event the petitioners surrenders before the learned S.D.J.M., Kendrapara in G.R. Case No.1193 of 2022 corresponding to Derabish P.S. Case No. 90 of 2022 within a period of three weeks from today, the petitioners shall be released on bail on such terms and conditions as the learned Magistrate may deem fit and proper.

7. Accordingly, the ABLAPL is disposed of.

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

(A.K. Mohapatra)
Judge

subhasmita

