

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.6678 of 2022

***Susanta @ Sarbeswara Khanda and
another***

Petitioners

....
Mr. Jayadeba Behera, Advocate

-versus-

State of Odisha

.... ***Opposite Party***

Mr. P.C.Das, A.S.C.

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

**ORDER
22.09.2022**

Order No.

02. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioners, learned Addl. Standing Counsel for the State. Perused the records.
3. This is an application under Section 438, Cr.P.C. filed by the Petitioners for anticipatory bail, involving offence punishable under Sections 341, 294, 323, 326, 506/34 of the Indian Penal Code.
4. It is submitted by the learned counsel for the Petitioners that the principal assailant is one Madhu Khanda. So far as the present Petitioner is concerned, it is submitted by the learned counsel for the Petitioners that there is no allegation of assault against their names. Further, it is submitted by the learned counsel for the Petitioners that the injured is hail and hearty and injury sustained by him is simple in nature.

5. Considering the seriousness of the allegation, gravity of the offence and the facts of the case, although I am not inclined to grant anticipatory bail to the Petitioners, however it is observed that, in the event the Petitioners surrender and move for bail before the learned S.D.J.M., Nayagarh in G.R.Case No.340 of 2022 arising out of Itamati P.S. Case No.114 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 in the facts and circumstances of the case.

5. The ABLAPL is disposed of accordingly.

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

(A.K. Mohapatra)
Judge

RKS

