

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

**ABLAPL No.7635 of 2022**

***Tofan @ Tophan Khan and others*** .... ***Petitioners***  
*Mr.Asit Kumar Jena, Advocate*

**-versus-**

***State of Odisha*** .... ***Opp.Party***  
*Mr.Shashanka Patra, A.S.C..*

**CORAM:**

**JUSTICE A.K. MOHAPATRA**

**ORDER**

**21.07.2022**

**Order No.**

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioners and 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 Petitioners are innocent and they are no way connected with the alleged offence and the offences alleged are triable by the Magistrate.
5. 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 Petitioners. However, it is directed that in the event the Petitioners surrender before the learned J.M.F.C., Jatni in G.R.Case No.389 of 2022 arising out of Jatni P.S.Case No.218 of 2022 within a period of three weeks from today and move for bail,

they shall be released on bail on such terms and conditions as would be deemed just and proper by the learned Magistrate.

6. In the event, it is found that the injury sustained by the injured is grievous in nature, then this order shall not be given effect to.

7. The ABLAPL is accordingly disposed of.

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

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

RKS

