

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No. 7812 of 2022

Bhajaman Pradhan & others ***Petitioners***
Mr.Sambeet Pattanayak, Advocate

-versus-

State of Odisha ***Opposite Party***
Mr.S.Patra, A.S.C.
Mr.Miritunjay Banerjee, Advocate for
informant

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

22.07.2022

Order No.

1. This matter is taken up through Hybrid Arrangement (Virtual/Physical Mode).
2. Heard learned counsel for both the parties and perused the records.
3. The Petitioner Nos.1 & 2 are apprehending arrest for the alleged commission of offence under Sections 341, 323, 326, 379, 506/34 of the Indian Penal Code in G.R.Case No.400 of 2022 of the Court of the learned J.M.F.C., Pipili, arising out of Delanga P.S.Case No.151 of 2022.
4. Considering the facts of the case, this Court is not inclined to grant anticipatory bail to the Petitioner Nos.1 & 2.
5. However, on the submission of the learned counsel, the Petitioner Nos.1 & 2 are given liberty to surrender before the learned J.M.F.C., Pipili in the aforesaid case in the first hour within 21 working days hence and move for bail. On such event, the learned Magistrate shall consider their application for bail in the first hour

strictly on the basis of the materials on record. In case of rejection of the bail application, the Petitioner Nos.1 & 2 may move for bail before the higher forum in the second hour. On such event, the higher forum shall consider and dispose of the bail application of the Petitioner Nos. 1 & 2 on the same day strictly on the basis of the materials on record.

6. Case Diary be made available to the concerned courts. Records be transmitted to the higher forum at the cost of the Petitioner Nos.1 & 2, if applied for.

7. Learned counsel for the Petitioners submits that the allegations leveled against the Petitioners are false, baseless and concocted and the present F.I.R. has been lodged with false allegation in order to harass the Petitioners.

8. 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 Petitioner Nos.3,4 & 5. However, it is directed that in the event the Petitioner Nos.3,4 & 5 surrender before the learned J.M.F.C., Pipili in G.R.Case No.400 of 2022 arising out of Delana P.S.Case No.151 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.

9. The ABLAPL is accordingly disposed of.

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

RKS

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