

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.7947 of 2022

Sudarsan Das & others

....

Petitioners

Mr.Samarendra Bahadur, Advocate

-versus-

State of Odisha

....

Opp.Party

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

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

22.07.2022

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 Petitioners submits that that the allegation of assault is against one Ajaya Das, who had assaulted the injured with the help of iron rod. So far as the present Petitioner is concerned, it is alleged in the F.I.R. that they were present at the spot and gave fist blows to the injured. In such view of the matter, learned counsel for the Petitioners submits that Section 307 of the Indian Penal Code is not attracted so far as the present Petitioners is concerned.
 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., Chandbali in G.R.Case No.505 of 2022 which arises out of Chandbali P.S.Case No.202 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. The ABLAPL is accordingly disposed of.
8. Issue urgent certified copy of the order as per Rules.

RKS

