

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.7965 of 2022

Mamata Lenka & Others

.... ***Petitioners***
Mr. Sk. Kalim Uddin, Advocate

-versus-

State of Odisha

.... ***Opposite Party***
Mr. M.K. Mohanty, A.S.C.

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

ORDER
25.07.2022

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioners and learned Addl. Standing Counsel for the State.
3. This is an application under Section 438, Cr.P.C. filed by the Petitioners for anticipatory bail, involving offences punishable under Sections 341/294/323/324/354-B/506/34, I.P.C.
4. It is submitted by learned counsel for the Petitioners that the Petitioners and the Informant belong to the same family. The dispute arose with regard to dumping some waste materials. It is submitted by learned counsel for the petitioners that there is case and counter case between the parties. He further submits that nobody has sustained injury as a result of such assault among both the family members.

5. Considering the nature of allegation, gravity of the offence and the facts of the case, though I am not inclined to grant anticipatory bail to the Petitioners, however it is observed that, in the event the Petitioners surrender before the learned J.M.F.C., Nimapara in G.R. Case No.560 of 2022 corresponding to Nimapara P.S. Case No.196 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 just and proper in the facts and circumstances of the case.

6. The ABLAPL is disposed of accordingly.

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

(A.K. Mohapatra)
Judge

