

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.8406 of 2022

Sasanka Sekhar Behera & another ***Petitioner***
Mr. Salauddin Khan, Advocate

-versus-

State of Odisha ***Opposite Party***
Mr. P.K. Rout, A.G.A.

CORAM:
JUSTICE A.K.MOHAPATRA

ORDER
28.07.2022

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. Govt. Advocate 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 341/354/307/506/34, I.P.C.
4. Learned counsel for the Petitioners submits that, in the F.I.R. allegation has been made against Artta Behera, father of the present Petitioners. So far as the present Petitioners are concerned, it is alleged that they were only present at the spot and instigated their father to commit the crime. It is also stated that there is case and counter case pending between the parties.
5. Considering the above submission, nature of 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 before the learned S.D.J.M., Talcher in G.R. Case No.1586 of 2022 corresponding to Kaniha P.S. Case No.180 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, but subject to verification of Injury Report and Criminal Antecedents of the Petitioner. If the injuries are found to be grievous in nature, then this bail order shall not be given effect to.

6. The ABLAPL is disposed of accordingly.
7. Urgent certified copy of this order be granted as per rules.

(A.K. Mohapatra)
Judge

