

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.8469 of 2022

Nityananda Behera & others ***Petitioners***
Mr.Gokulananda Sahu, Advocate

-versus-

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

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

25.08.2022

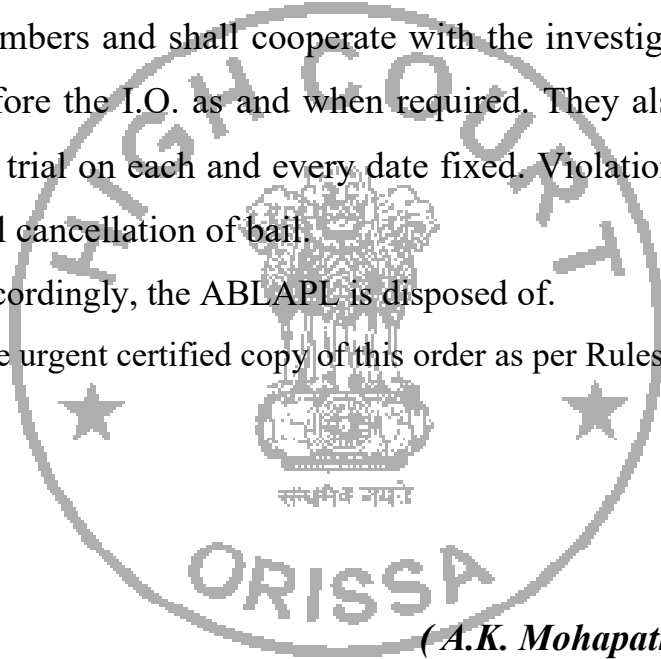
Order No.

- 02.
1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
 2. Heard learned counsel for the Petitioners and the learned Additional Government Advocate. Perused the records.
 3. This is an application under Section 438 Cr.P.C. filed by the Petitioners for anticipatory bail.
 4. It is submitted by the learned counsel for the Petitioners pursuant to an order passed by this Court in W.P.(C) No.517 of 2018 the Tahsildar, Gaisilat had removed the unauthorized encroachments on Government land. In course of such encroachment drive, some illegally encroached houses have been demolished. It is alleged in the F.I.R. that in course of such removal of encroachments, damage has been caused to Mini Tractor, 3 HP ump set and other equipments.

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 S.D.J.M., Padampur in G.R.Case No.618 of 2021 arising out of Gaisilat P.S.Case No.120 of 2021 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 with further conditions that the Petitioners while on bail shall not threaten, influence, terrorise or harass the informant and his family members and shall cooperate with the investigation and shall appear before the I.O. as and when required. They also shall appear before the trial on each and every date fixed. Violation of conditions shall entail cancellation of bail.

6. Accordingly, the ABLAPL is disposed of.

7. Issue urgent certified copy of this order as per Rules.



(A.K. Mohapatra)
Judge