

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.8695 of 2022

Hajarilal Bhuyan & another

..... Petitioners
Mr. Sk. Zafarulla, Advocate

-versus-

State of Odisha

..... Opp. Party
Mr. M.K. Mohanty, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

01.08.2022

Order No.

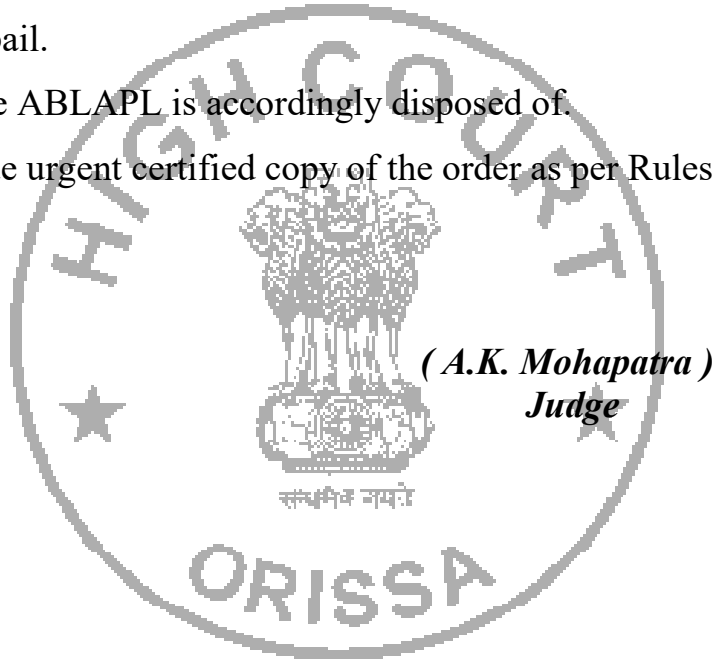
01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioners and the learned Additional Standing Counsel. Perused the records.
3. This is an application under Section 438 Cr.P.C. filed by the Petitioners for anticipatory bail.
4. It is submitted by the learned counsel for the Petitioners that prior to the date of occurrence, there was family dispute between two parties relating to partition of property. It is further submitted by the learned counsel for the Petitioners that though the Petitioners have been named in the F.I.R. but during investigation no one has supported the prosecution allegation. It is also submitted by the learned counsel for the Petitioners that on perusal of the F.I.R. and other statements of the witnesses no prima facie offence under section 354, 506 of the Indian Penal Code is made out against the

Petitioners.

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., Konark in G.R.Case No.414 of 2022 arising out of Gop P.S.Case No.211 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 with further condition that the Petitioners shall not indulge in similar activities while on bail.

6. The ABLAPL is accordingly disposed of.

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



RKS