

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.8786 of 2022

Rabindra Mohanty & Others

....

Petitioners

Mr. S. Rath, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. P.C. Das, 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 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 offence punishable under Sections 341/294/323/354/448/427/506/34, I.P.C.
4. It is submitted by learned counsel for the Petitioners that there is civil dispute between the Petitioners and the Informant, as a result of which tussle took place among them. It is further submitted that there is case and counter case among the parties. It is further stated by learned counsel for the Petitioners that there is no criminal antecedent of similar nature in the name of the present Petitioners.
5. Considering such submission, nature of allegation, gravity of the offence and 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 J.M.F.C., Nimapada in G.R. Case No.629 of 2022 corresponding to Nimapada P.S. Case No.221 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.

Further, while imposing conditions for bail, learned Magistrate shall also impose condition whereby the Petitioners shall not indulge in any criminal activities and they shall not threaten, terrorise, ill-treat or harass the informant and his family members in any manner whatsoever.

Violation of any of the conditions shall entail cancellation of bail of the Petitioners.

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

(A.K. Mohapatra)
Judge