

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.8798 of 2022

Ratha Bindhani @ Kunu Bindhani Petitioners
& others

Mr. B.S.Dasparida, Advocate

-versus-

State of Odisha Opp.Party
Mr.S.Patra, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

01.08.2022

Order No.

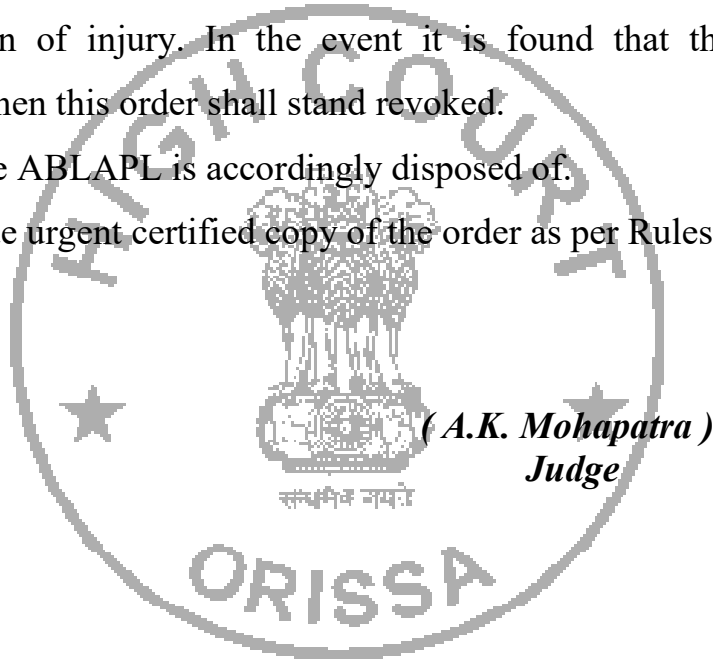
01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioners and the learned Additional Standing Counsel. Perused the records.
3. This is an application under Section 438 Cr.P.C. filed by the Petitioners for anticipatory bail.
4. It is submitted by the learned counsel for the Petitioners that so far as the present Petitioners are concerned, the only against the Petitioners is that they had assaulted the injured by means of fist blows and gave threatening. So far as the offence under Section 354 of the Indian Penal Code is concerned, the same is against one Purna Chandra Sa, Ramakanta Sa and Bapu Sa. Further, it is submitted by the learned counsel for the Petitioners that in the meantime charge sheet has been filed deleting the offence under section 3(1)®/3(1)(s)/3(2)(va) of the S.C. & S.T.(POA) Act. Further, it is

also contended by the learned counsel for the Petitioners that the injuries sustained by the injured are all simple in nature.

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., Niagiri in C.T.Case No.223 of 2022 arising out of Nilagiri P.S.Case No.212 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 subject to verification of injury. In the event it is found that the injury is grievous then this order shall stand revoked.

6. The ABLAPL is accordingly disposed of.

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



RKS