

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.8956 of 2022

Jhadeswar Mehentar @ Jharia & others ***Petitioners***

Ms. Bini Mishra, Advocate

-versus-

State of Odisha ***Opp.Party***
Mr.P.K.Rout, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

02.08.2022

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 the present case has been foisted by the informant against the Petitioners only to harass them. The Petitioners have never assaulted the informant nor they have taken any valuables from them. The allegations made against the Petitioners are omnibus, non-specific in a mechanical manner. It is also submitted by the learned counsel for the Petitioners that the materials collected so far do not make out a prima facie case 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 Grama Nyayalay-cum-J.M.F.C., Jaleswar in C.T.Case No.350 of 2021 arising out of Kamarda P.S.Case No.48 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 and subject to verification of criminal antecedents of similar nature against the Petitioners.

6. The ABLAPL is accordingly disposed of.
7. Issue urgent certified copy of the order as per Rules.



(*A.K. Mohapatra*)
Judge

RKS