

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.8975 of 2022

Giridhari Mallick & Others

....

Petitioners

Mr. A.N. Samantaray, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. Sitikant Mishra, A.S.C.

CORAM:

JUSTICE A.K.MOHAPATRA

ORDER

03.08.2022

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioner 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 341/294/323/307/427/379/506/34, I.P.C.
4. Learned counsel for the Petitioners submits that, due to previous enmity there was dispute between the Petitioners and the Informant group. It is further stated that due to such rivalry between the parties, case and counter-cases have been filed. Learned counsel for the petitioners submits that in the counter case the accused persons have been enlarged on bail by this court. He further submits that the injuries sustained by the victim are simple in nature.

5. Considering the 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.,(P), Kujang in G.R. Case No.246 of 2022 corresponding to Paradeep Lock P.S. Case No.64 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, but subject to verification of Injury Report. If the injuries are found to be grievous in nature, then this bail order shall stand automatically revoked.

6. The ABLAPL is disposed of accordingly.

7. Urgent certified copy of this order be granted as per rules.

(A.K. Mohapatra)
Judge