

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.8978 of 2022

Prasanna Kumar Das & another ***Petitioners***
Mr. Partha Sarathi Das, 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 448/294/354/307/506/34, I.P.C.
4. Learned counsel for the Petitioners submits that, the allegation of assault by means of Lathi is in the name of co-accused Dhiren Das, who is the principal accused. So far as the present Petitioners are concerned, the allegation in the F.I.R. is that they entered into the house of the informant and threatened them. He further submits that there is no criminal antecedent against the present Petitioners.

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., Telkoi in G.R. Case No.112 of 2022 corresponding to Telkoi P.S. Case No.116 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.

6. The ABLAPL is disposed of accordingly.

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

(A.K. Mohapatra)
Judge

