

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.9101 of 2022

Indi Swain & another

.... ***Petitioners***
Mr. S.K.Rout, Advocate

-versus-

State of Odisha

.... ***Opp. Party***
Mr. S.Patra, 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 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 allegations against the Petitioners are false, baseless and are no way connected with the alleged offences as alleged by the Prosecution. It is also submitted by the learned counsel for the Petitioners that the Petitioners and the complainant are co-villager but due to previous enmity the informant falsely lodged F.I.R. 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 S.D.J.M., Dhenkanal in G.R.Case No.903 of 2022 arising out of Dhenkanal Sadar P.S.Case No.314 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 criminal antecedent. It is also directed that the Petitioner shall not threaten, influence, harass or terrorise the informant and his family members in any manner whatsoever. Violation of condition shall entail cancellation of bail.

6. Accordingly, the ABLAPL is disposed of.

Urgent certified copy of this order be granted on proper application.



RKS