

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.9251 of 2022

Kasi Rout & Others

....

Petitioners

Mr. Laxmidhar Mahapatra, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. Sitikant Mishra, A.S.C.

CORAM:

JUSTICE A.K.MOHAPATRA

ORDER

04.08.2022

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioners as well as 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 offences punishable under Sections 341/324/326/307/506/323/379/34, I.P.C.
4. Learned counsel for the Petitioners submits that there exists previous dispute between the Petitioners and the Informant group, as a result of which scuffle took place between the parties. Further it is stated that the injuries sustained by the victim are simple in nature. Learned counsel for the Petitioners further submits that the allegations are all omnibus in nature and there is no specific allegation against the present Petitioners.

5. Considering the seriousness and gravity of the offence as alleged and the facts of the case, although this Court is not inclined to grant anticipatory bail to the Petitioners, however it is observed that, in the event the Petitioners surrender and apply for bail before the learned S.D.J.M., Bhubaneswar in C.T. Case No.3418 of 2022 corresponding to Capital P.S. Case No.324 of 2022 within a period of three weeks from today, they 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 criminal antecedents against the Petitioners. If it is found that there is more than one criminal antecedent against the Petitioners, 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