

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.9277 of 2022

Biswanath Reli & another

....

Petitioners

Mr.Umakanta Barik, Advocate

-versus-

State of Odisha

....

Opp.Party

Mr.M.K.Mohanty, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

05.08.2022

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 Petitioners are S.C. persons who had entered into an agreement with the informant to sell his land. However, due to delay in getting permission from the authority he is unable to sell the land as a result of which the informant lodged this case. Further, learned counsel for the Petitioners submits that the Petitioners are ready to honour the agreement executed between the Petitioners and the informant.
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 J.M.F.C., Umerkote

in G.R.Case No.05 of 2022 arising out of Umerkote P.S.Case No.03 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 with further condition that the Petitioners shall furnish an undertaking before the learned court below stating therein that they shall obtain permission and execute the sale deed within three months, failing which they will return the money to the informant. In the event such condition is violated then it is open for the trial court to revoke this order.

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



(*A.K. Mohapatra*)
Judge

RKS