

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.9449 of 2022

Namaratna Panda and others *Petitioners*
Mr. S.S. Pattanaik, Advocate
-versus-
State of Odisha *Opp. Party*
Mr. M.K. Mohanty, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

10.08.2022

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the petitioners and learned Additional Standing Counsel for the State.
3. This is an application under Section 438, Cr.P.C. filed by the petitioners for anticipatory bail.
4. The petitioners are seeking pre-arrest bail in connection with I.C.C. Case No.22 of 2020 pending in the court of learned S.D.J.M., Dhenkanal for commission of offence punishable under Sections 294/341/323/427/354/468/506/34, I.P.C.
5. It is submitted by learned counsel for the petitioners that there is a civil dispute between the parties as a result of which civil dispute in Civil Suit No.308 of 2017 is pending before the learned Civil Judge (Jr. Division), Dhenkanal. It is further submitted by learned counsel for the petitioners that the informant lodged the present case falsely implicated the petitioners. Further, learned counsel for the petitioners submits that although the alleged occurrence in the year 2019, the complaint case

has been filed in the 2022.

6. Considering the nature of allegation, gravity of offence and the fact of the case, I am not inclined to grant anticipatory bail to the petitioner. However, it is directed that in the event the petitioners surrender and move for bail before the learned court in seisin over the matter within a period of three weeks from today in the aforesaid case, they shall be released on bail on such terms and conditions as would be deemed just and proper with further conditions that petitioners shall not harass, torture, threaten or terrorize the informant and his/her family members in any manner whatsoever.

Violation of any of the terms and conditions shall entail cancellation of bail.

7. Accordingly, the ABLAPL is disposed of.

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

Jagabandhu

