

**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**ABLAPL No.10066 of 2022**

|                               |          |                                     |
|-------------------------------|----------|-------------------------------------|
| <i>Abdul Khan and another</i> | ....     | <i>Petitioners</i>                  |
|                               |          | <i>Mr. S.R. Mohapatra, Advocate</i> |
|                               | -versus- |                                     |
| <i>State of Odisha</i>        | ....     | <i>Opp. Party</i>                   |
|                               |          | <i>Mr. M.K. Mohanty, A.S.C.</i>     |

**CORAM:**

**JUSTICE A.K. MOHAPATRA**

**ORDER**

**24.08.2022**

**Order No.**

- 01.
1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
  2. Informant entered appearance through Mr. A.S. Paul, Advocate and his associates and files Vakalatnama in Court today. The same is accepted and be kept on record.
  3. Heard learned counsel for the petitioners and learned Additional Standing Counsel for the State.
  4. This is an application under Section 438, Cr.P.C. filed by the petitioners for anticipatory bail.
  5. The petitioners are seeking pre-arrest bail in connection with G.R. Case No.2086 of 2022, arising out of Puruna Bazar P.S. Case No.184 of 2022 pending in the court of learned S.D.J.M., Bhadrak for commission of offence punishable under Sections 294/417/419/420/468/471/354-B/120-B/506/34, I.P.C.
  6. It is submitted learned counsel for the petitioners that the present case has been made out of a civil dispute between the parties. He further submits that son of the petitioners has already been released on bail by

this Court in ABLAPL No.9682 of 2022 vide order dated 12.08.2022. On such grounds, learned counsel for the petitioners prays for release of the petitioners on anticipatory bail.

7. Considering the nature of allegation, gravity of 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 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 they shall cooperate with the Investigating Officer as and when required for the purpose of the investigation and while on bail, they shall not threaten, harass and terrorize the informant and her /his family members in any manner whatsoever, they shall not indulge in similar criminal activities, while on bail and they shall not default in attendance of the court during trial on each date of posting.

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

8. Accordingly, the ABLAPL is disposed of.

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

**( A.K. Mohapatra )**  
**Judge**