

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.10427 of 2022

Biswanath Patra and another ***Petitioners***
Mr.Banshidhar Baug,Advocate

-versus-

State of Odisha ***Opp. Party***
Mr.M.K.Mohanty,A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

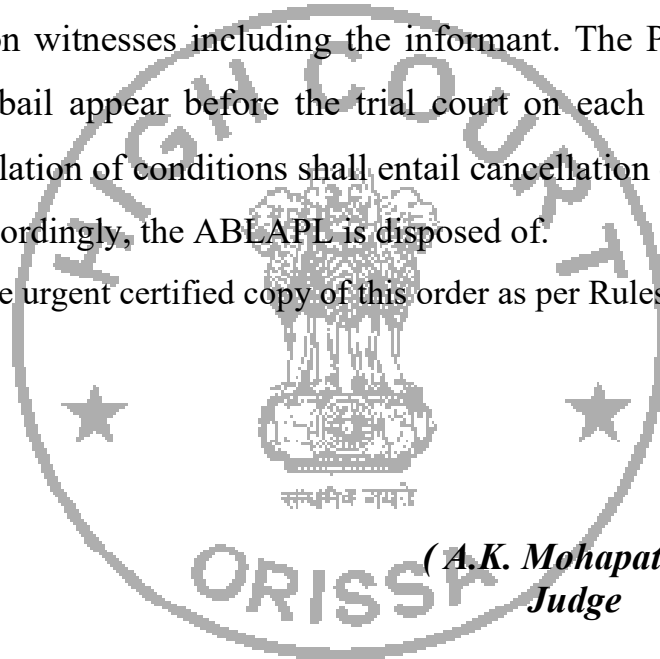
06.09.2022

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 there exists a civil dispute between the Petitioners and the complainant, as a result of which two civil suits have been filed and stated to be pending before the competent civil court. Further, it is seen that there is allegation and counter allegation with regard to certain registered sale deeds. Therefore, the entire case is based on documentary evidence.
5. Considering the nature of allegations made, gravity of the

offence and the facts 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., Bhubaneswar in C.T.Case No.2019 of 2021 arising out of Badagad P.S.Case No.109 of 2021 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 conditions that they while on bail shall cooperate with the investigation and appear before the I.O. as and when required and shall not threaten, influence or terrorise the prosecution witnesses including the informant. The Petitioners shall while on bail appear before the trial court on each and every date fixed. Violation of conditions shall entail cancellation of bail.

6. Accordingly, the ABLAPL is disposed of.
7. Issue urgent certified copy of this order as per Rules.



(A.K. Mohapatra)
Judge