

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.10472 of 2022

Ramlal Gond and another ***Petitioners***
Mr. T.K. Mishra, 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 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 G.R. Case No.211 of 2022, arising out of Kundei P.S. Case No.61 of 2022 pending in the court of learned N.G.N.-cum-J.M.F.C., Raigarh for commission of offence punishable under Sections 294/341/307/507/34, I.P.C.
5. It is submitted by learned counsel for the petitioners that there is a dispute between the two sides as a result scuffled between the parties and accordingly, there is case and counter case filed by either side. It is further submitted by learned counsel for the petitioners that the principal accused assaulted the injured. So far as the present petitioners are concerned, they are no way connected with the

allegation of assault.

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 petitioners. However, it is directed that in the event the petitioners surrender and move 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 :-

- I. The petitioners shall cooperate with the Investigating Officer as and when required for the purpose of investigation; and
- II. they shall not default in attendance of the court during trial on each date of posting;
- III. while on bail, they shall not threaten, harass and terrorize the informant and her /his 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.

(A.K. Mohapatra)
Judge