

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.10680 of 2022

***Bhawani Shankar Panda &
another***

.... ***Petitioners***

Mr. Prasanta Kumar Giri, Advocate

-versus-

State of Odisha

.... ***Opposite Party***

Mr. Shashanka Patra, A.S.C.

**CORAM:
JUSTICE A.K.MOHAPATRA**

**ORDER
08.09.2022**

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioners and learned Addl. Standing Counsel for the State.
3. This is an application under Section 438, Cr.P.C. filed by the Petitioners for anticipatory bail, involving offence punishable under Sections 427/354/506/376/511/34, I.P.C.
4. Having regard to the fact that the informant and the accused are own brother and sisters and further the background of the dispute is with regard to distribution of paternal property among them, and further taking into consideration the seriousness of the allegation and the gravity of the offence, although I am not inclined to grant anticipatory bail to the Petitioners, however it is observed that, in the event the Petitioners surrender and move for bail before the learned J.M.F.C., Jaipatna in C.T. Case No.297 of 2022 corresponding to

Jaipatna P.S. Case No.305 of 2022 within a period of three weeks from today, they shall be released on bail on such terms and conditions as the learned Magistrate may deem just and proper in the facts and circumstances of the case.

While imposing conditions for bail, learned Magistrate shall also impose the following additional conditions –

- (i) The Petitioners shall appear before the I.O. and shall cooperate with the investigation as and when required.
- (ii) They shall also appear before the learned trial court on each date of trial, without fail.

Violation of any of the conditions shall entail cancellation of bail of the Petitioners.

5. The ABLAPL is disposed of accordingly.
6. Urgent certified copy of this order be granted as per rules.

(A.K. Mohapatra)
Judge