

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

**ABLAPL No.11579 of 2022**

***Bhagyarathi Behera and another*** .... ***Petitioners***  
***Mr. S.N.Mishra, Advocate***

***-versus-***

***State of Odisha*** .... ***Opp. Party***  
***Mr. S. Mishra, A.S.C.***

**CORAM:**

**JUSTICE A.K. MOHAPATRA**

**ORDER**

**19.09.2022**

**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.584 of 2022, arising out of Gop P.S. Case No.307 of 2022 pending in the court of learned J.M.F.C., Konark for commission of offences punishable under Sections 294/324/506/457/380/34, I.P.C.
5. It is submitted by learned counsel for the petitioners that the present case arises out of a complaint case. He further submits that the informant is tenant. It is also submitted by learned counsel for the petitioners that the petitioners are land lord, who had given their houses on rent basis to the informant as per agreement for a period of five years and thereafter the informant left their house, a false case

has been foisted against the petitioners.

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 application 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:-

- I. The petitioners shall not threaten, harass and terrorize the informant and her /his family members in any manner whatsoever; and
- II. they shall cooperate with the Investigating Officer as and when required for the purpose of investigation.

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**