

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.11793 of 2022

Mahesh Das and another

Petitioners

....
Mr. Arjuna Charana Behera, Advocate

-versus-

State of Odisha

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

Mr. S.Mishra, A.S.C.

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

**ORDER
21.09.2022**

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioners, learned Addl. Standing Counsel for the State. Perused the records.
3. This is an application under Section 438, Cr.P.C. filed by the Petitioners for anticipatory bail, involving offence punishable under Sections 420, 471, 472, 294, 323, 354, 506/34 of the Indian Penal Code.
4. It is submitted by the learned counsel for the Petitioners that due to shortage of land the parties are litigating in civil suit. Further the informant has lodged F.I.R. against the Petitioners alleging shortage of land which is the subject matter of Civil suit. It is also submitted by the learned counsel for the Petitioners that except this case there is no other criminal antecedents against the Petitioners.

5. Considering the seriousness of the allegation, gravity of the offence and the facts of the case, 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 S.D.J.M., Balasore in C.T.Case No.655 of 2022 arising out of Sahadevkhunta P.S. Case No.229 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, but subject to verification of criminal antecedents of similar nature.

6. The ABLAPL is disposed of accordingly.

7. Urgent certified copy of this order be granted as per rules.

(A.K. Mohapatra)
Judge

RKS