

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.11884 of 2022

Shyamasundar Jena & Others ***Petitioners***
Mr. B.N. Mhapatra, Advocate

-versus-

State of Odisha ***Opposite Party***
Mr. Shashanka Patra, A.S.C.

CORAM:
JUSTICE A.K.MOHAPATRA

ORDER
21.09.2022

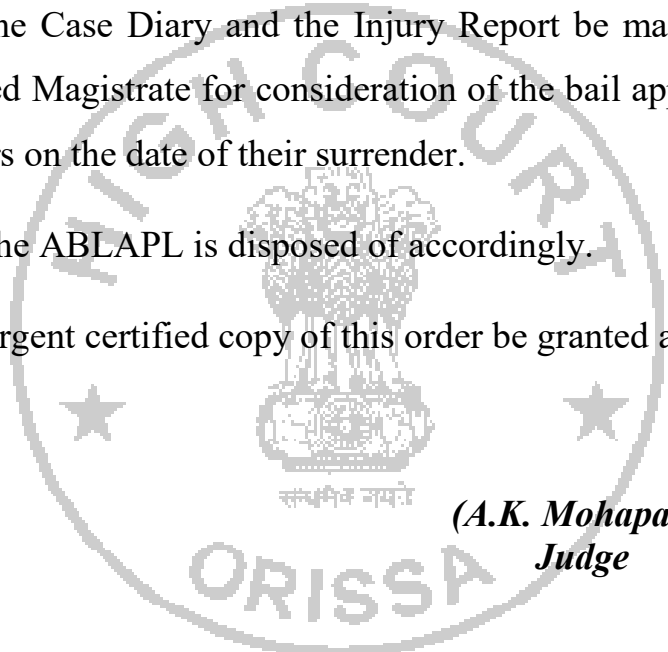
Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioners 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 147/148/34/294/323/307/506/149, I.P.C.
4. It is submitted by learned counsel for the Petitioners that there is boundary dispute between the parties, as a result of which a scuffle took place and case and counter case have been registered. Learned counsel for the Petitioners further submits that the injuries sustained by the injured are simple in nature.
5. Considering the aforesaid submission, 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 J.M.F.C., Jajpur Road in C.T. Case No.1122 of 2022 corresponding to Korei P.S. Case No.275 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 the Injury Report. If the injuries caused to the injured are found to be grievous in nature, then this bail order shall stand automatically revoked.

The Case Diary and the Injury Report be made available to the learned Magistrate for consideration of the bail application of the Petitioners on the date of their surrender.

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

The seal of the Orissa High Court is a circular emblem. It features the Ashoka Lion Capital in the center, flanked by two stars. The text 'HIGH COURT' is written in an arc at the top, and 'ORISSA' is written in an arc at the bottom. Below the lion capital, the Sanskrit motto 'सत्यमेव जयते' is inscribed.
(A.K. Mohapatra)
Judge