

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.11924 of 2022

Chaitan Gadba and another

Petitioners

....
Mr. Tukuna Ku. Mishra, Advocate

-versus-

State of Odisha

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

Mr. M.K.Mohanty, A.S.C.

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

**ORDER
22.09.2022**

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 294, 323, 341, 506/34 of the Indian Penal Code.
4. It is submitted by the learned counsel for the Petitioner that the Petitioners have not been named in the F.I.R. Further it is submitted by the learned counsel for the Petitioners that the accused persons namely, Ghasiram, Dumer Nayak and Arjun Gadaba have been named in the F.I.R. So far as the assault part is concerned, learned counsel for the Petitioners submits that the above named accused persons have assaulted the injured.

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 J.M.F.C., Borigumma in G.R.Case No.269 of 2022 arising out of Borigumma P.S. Case No.150 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 against 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

RKS