

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.12326 of 2022

Sabita Dei & another

....

Petitioners

Mr. Pravasha Pujaree Parida, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. P.C. Das, A.S.C.

CORAM:

JUSTICE A.K.MOHAPATRA

ORDER
19.10.2022

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 420/294/467/466/472/506/34, I.P.C.
4. It is submitted by learned counsel for the Petitioners that the dispute involved in this case is with regard to alienation of a piece of land. It is alleged by the Informant in the F.I.R. that Petitioner No.1 without having any authority, has alienated a piece of land in favour of the Informant for a sum of Rs.18 lakhs. Therefore the present criminal case has been lodged against the Petitioners.

Learned counsel for the Petitioners submits that in the meantime the matter has been settled and the land in question has

been lawfully alienated in favour of the Informant and now the land has been mutated in the name of the Informant in the revenue R.O.R.

5. Considering the aforesaid submission, nature 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., Bhubaneswar in connection with Badagada P.S. Case No.249 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 fact by the learned Magistrate that the Informant is now the recorded owner of the disputed land in question.

6. The ABLAPL is disposed of accordingly.

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

(A.K. Mohapatra)
Judge