

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.12551 of 2022

Ramakanta Baral & others

Petitioners

....
Mr. Manas Ku. Chand, Advocate

-versus-

State of Odisha

.... ***Opposite Party***
Mr. M.K. Mohanty, A.S.C.

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

**ORDER
29.09.2022**

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 341, 323, 294, 307, 506/34 of the Indian Penal Code.
4. It is submitted by the learned counsel for the Petitioners that the allegation of assault is against the principal accused namely, Rabindra Baral. So far as the present Petitioners are concerned, it is submitted that there is no allegation of assault against them. He also submits that omnibus allegation are made against the Petitioners. He also submits that the Petitioners do not have any criminal antecedents.

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., Banpur in G.R.Case No.88 of 2022 arising out of Banpur P.S. Case No.99 of 2022, 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.

5. The ABLAPL is disposed of accordingly.

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

(A.K. Mohapatra)
Judge

RKS

