

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.13463 of 2022

Ashok Kumar Khuntia and others *Petitioners*
Mr. R.N. Behera, Advocate
-versus-
State of Odisha *Opp. Party*
Mr. S. Mishra, 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 Additional Standing Counsel for the State.
3. This is an application under Section 438, Cr.P.C. filed by the petitioners for anticipatory bail.
4. The petitioners are seeking pre-arrest bail in connection with C.T. Case No.6248 of 2022, arising out of Khandagiri P.S. Case No.518 of 2022 pending in the court of learned S.D.J.M., Bhubaneswar for commission of offences punishable under Sections 452/427/294/506/34, I.P.C.
5. It is submitted by learned counsel for the petitioners that there was a civil dispute between the parties as a result of which the petitioners have been falsely implicated in the present case. It is further submitted by learned counsel for the petitioners that there is a case and counter case between the parties.
6. Considering the nature of allegation, gravity of offence and the

fact of the case, I am not inclined to grant anticipatory bail to the petitioners. However, it is directed that in the event the petitioners surrender and move an application for bail before the learned court in seisin over the matter within a period of three weeks from today in the aforesaid case, they shall be released on bail on such terms and conditions as would be deemed just and proper with further conditions that :-

- I. The petitioners shall cooperate with the Investigating Officer as and when required for the purpose of investigation; and
- II. they shall not threaten, harass and terrorize the informant and her /his family members in any manner whatsoever;

Violation of any of the terms and conditions shall entail cancellation of bail.

7. Accordingly, the ABLAPL is disposed of.

Urgent certified copy of this order be granted on proper application.

(A.K. Mohapatra)
Judge