

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.13928 of 2022

Bimbadhar Jena & Others ***Petitioners***

Mr. Satya Narayan Mishra-4, Advocate

-versus-

State of Odisha

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

Mr. Debasis Biswal, A.S.C.

**CORAM:
JUSTICE CHITTARANJAN DASH**

ORDER
31.10.2022

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioners and 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 341/294/365/408/395/506, I.P.C.
4. Learned counsel for the Petitioners submits that the allegation of theft is against one Soumya Ranjan Rout, Gouranga Jena and Umesh Nayak, who are alleged to have stolen rice from the Rice Mill of the Informant. It is further submitted that, so far as the present Petitioners are concerned, it is only alleged that they were armed with deadly weapons and intimidated the Informant and threatened him with dire consequences in the event he reports the matter to the police.

5. Considering such submission, seriousness of the allegation, gravity of the offence and the facts of the case, 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., Basudevpur in G.R. Case No.707 of 2022 corresponding to Kasia Marine P.S. Case No.97 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 Injury Report as well as Criminal Antecedents of the Petitioners. If the injuries caused to the injured are found to be grievous in nature, then this bail order shall stand automatically revoked. Similarly, if it is found that there is more than one criminal antecedent of similar nature against the present Petitioners, then also this bail order shall stand revoked automatically.

6. The ABLAPL is disposed of accordingly.

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

(Chittaranjan Dash)
Judge