

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.14583 of 2022

***Binod Kumar Ghadai @ Gharai &
Others***

.... ***Petitioners***
Mr. P.C. Jena, Advocate

-versus-

State of Odisha

.... ***Opposite Party***
Mr. Debasish Biswal, A.S.C.

**CORAM:
JUSTICE CHITTARANJAN DASH**

Order No.

**ORDER
29.11.2022**

- 01.
1. Heard the learned counsel for the Petitioners and the State.
 2. By means of this application, the Petitioners seek grant of bail U/s.438 Cr.P.C. in apprehension of arrest for their alleged involvement in the offences U/s. 341/323/294/379/354-B/506/34, I.P.C. in connection with C.T. Case No.321 of 2022 arising out of Kamarda P.S. Case No.94 of 2022 pending in the court of learned NGN-cum-J.M.F.C., Bhograi.
 3. Learned counsel for the Petitioners submits that the F.I.R. is the result of a dispute between the parties regarding land. It is also submitted that a counter FIR has been filed in connection with the present matter, arraying the Informant parties in the offences under Sections 341/323/294/379/506/34, I.P.C.
 4. Considering the aforesaid facts and submission, and having gone through the nature of allegations as emerged from the materials on record, and further the circumstances appearing, the seriousness and

gravity of the offences, while this court is not inclined to grant the anticipatory bail, it is directed that in the event the Petitioners surrender and move for bail before the learned NGN-cum-J.M.F.C., Bhograi in the aforesaid C.T. Case within a period of three weeks from today, they shall be allowed to go on bail on such terms and conditions as would be deemed just and proper by the said court, but subject to the following further conditions –

- (i) The Petitioners shall appear before the I.O. and shall cooperate with the investigation as and when required;
- (ii) They shall also appear before the trial court on each date of trial, without fail.
- (iii) They shall not intimidate, terrorise, ill-treat or harass the Informant and his family members including the prosecution witnesses in any manner and shall not tamper with the prosecution evidence in any manner whatsoever.
- (iv) Violation of any of the conditions shall entail cancellation of bail of the Petitioners.

5. The ABLAPL is disposed of accordingly.

(Chittaranjan Dash)
Judge

S.K. Parida