

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.14770 of 2022

Babyrani Mohanty and another ***Petitioners***
Mr. S.K. Mahanty, Advocate

-versus-

State of Odisha ***Opp. Party***
Mr. S. Patra, ASC

CORAM:
JUSTICE CHITTARANJAN DASH

ORDER
05.12.2022

Order No.

- 01.
1. Heard learned counsel for the Petitioners and the State.
 2. This is an application for bail U/s.438 Cr.P.C. filed by the Petitioners in apprehension of arrest for their alleged involvement in the offences U/s.341/294/323/506/34 IPC.
 3. Learned counsel for the Petitioners submits that the present dispute arises out of a civil dispute with regard to the landed property besides the offence U/s.506 IPC other offences are billable in nature.
 4. Keeping in view the submission of the parties, the nature of allegations, the circumstances appearing, the seriousness and gravity of the offences, while this Court is not inclined to grant anticipatory bail, it is directed that in the event the Petitioners surrender in connection with Dharmasala P.S. Case No.601 of

2022 corresponding to C.T. Case No.1721 of 2022 pending in the court of learned J.M.F.C., Chandikhole within a period of two weeks' hence and move for bail, they shall be released on such terms and conditions as would be deemed just and proper by the said court with further conditions that they shall appear in person before the court below on each date of posting of the case unless specifically exempted by the court concerned with the further conditions that they shall appear before the IO as and when required, shall not threaten or intimidate the Informant party in any manner whatsoever and shall cooperate with the investigation.

5. It is made clear that the learned court below shall verify the criminal antecedent of the Petitioners, if necessary, by admitting the Petitioners to bail provisionally till the information is received and in case more than one antecedent is noticed, the order of this Court shall not be given effect to and the court shall be free to deal with the matter of bail according to its merit without further reference to the present.

6. The ABLAPL is disposed of.

(Chittaranjan Dash)
Judge