

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.15192 of 2022

***Shiba Prasad Maharana and
others*** ***Petitioners***

Mr. Arijeet Mishra, Advocate

-versus-

State of Odisha ***Opp. Party***
Mr. Debasis Biswal, ASC

**CORAM:
JUSTICE CHITTARANJAN DASH**

**ORDER
15.12.2022**

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.294/324/354/506/34 IPC.
3. Learned counsel for the Petitioners submits that there is a case and counter case between two brothers in connection with construction of a building. Annexure-2 has been lodged prior to the Annexure-1 that the informant had lodged arraying the present Petitioners.
4. Considering the aforesaid facts, 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 Manchesar P.S. Case No.419 of 2022 corresponding to C.T. Case No.6803 of 2022 pending in the court of learned J.M.F.C. (Cog.II), Bhubaneswar 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. Violation of any of the conditions shall entail cancellation of bail of the Petitioners.

5. It is made clear that the learned court below shall verify the criminal antecedent of the Petitioners. In case more than one antecedent is noticed and the injury sustained by the injured is grievous, 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