

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.15214 of 2022

Soni Mishra & Others

Petitioners

....
Mr. Manoj Kumar Panda, Advocate

-versus-

State of Odisha

Opposite Party

....
Mr. Shashanka Patra, A.S.C.

CORAM:

JUSTICE CHITTARANJAN DASH

ORDER

15.12.2022

Order No.

01.

1. Heard the learned counsels 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.341/294/323/379/427/506/34, I.P.C. in connection with Jankia P.S. Case No.392 of 2022 corresponding to G.R. Case No.1943 of 2022 pending in the court of learned J.M.F.C., Tangi.

3. Learned counsel for the Petitioners submits that pursuant to the dispute concerning the fencing of the land, the petitioners lodged report with the Jankia P.S. and, as a counterblast to the same, the present F.I.R. has been lodged against the Petitioners.

4. Having regard to the aforesaid facts and submission, seriousness of the allegation and gravity of the offence, while this court is not inclined to grant anticipatory bail, it is directed that in the event the Petitioners surrender and move for bail before the learned J.M.F.C., Tangi in the aforesaid G.R. 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 threaten, intimidate, terrorise, ill-treat or harass the Informant party as well as the prosecution witnesses and shall not tamper with the prosecution evidence in any manner whatsoever, while on bail.
- (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