

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.15885 of 2022

Rajesh Behera & others

Petitioners

....
Mr. Deepak Ku. Sahoo, Advocate

-versus-

State of Odisha

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

Mr. P.C. Das, A.S.C.

**CORAM:
JUSTICE A.K. MOHAPATRA**

ORDER

21.12.2022

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioners, learned Addl. Government Advocate for the State. Perused the records.
3. This is an application under Section 438, Cr.P.C. filed by the Petitioners for anticipatory bail, involving offence punishable under Sections 147, 148 452, 294, 354, 323, 324, 307, 336, 149 of the Indian Penal Code.
4. It is submitted by the learned counsel for the Petitioners that the main allegation is against Ramesh Behera and Kalia Behera against whom there is allegation that they had assaulted the victim by means of sword. So far as the petitioners are concerned, there is no allegation of assault against them. It is also alleged that some of the ladies members pelted stones at the informant.
5. Considering the seriousness of the allegation, gravity of the offence and the facts of the case, although 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 Nyayadhikari Gramanyayalaya, Brahmagiri in G.R.G.N.Case No.423 of 2022 Corresponding to Arkhakuda Marine P.S.Case No.45 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.

6. The ABLAPL is disposed of accordingly.
7. Urgent certified copy of this order be granted as per rules.

(A.K. Mohapatra)
Judge

RKS

