

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.16058 of 2022

Biswanath Nayak and others

Petitioners

....

Mr.A.K.Dora, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr.Sonak Mishra, A.S.C.

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

ORDER

22.12.2022

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioners, learned Addl. Standing Counsel 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 294, 323,379, 506/34 of the Indian Penal Code.
4. It is submitted by the learned counsel for the Petitioners that the Petitioners do not have any criminal antecedents and the dispute arises out of a fight between the two families.
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 S.D.J.M., Khordha in G.R.Case No.1957 of 2022 Corresponding to Khurda Sadar P.S.Case No.235 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

