

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.16070 of 2022

***Danei @ Laxmi Kanta Biswal and
another***

Petitioners

....
Mr.H.N.Mohapatra, 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 147, 148,452, 294, 427, 379, 323, 354-B, 506/149 of the Indian Penal Code.
4. It is submitted by the learned counsel for the Petitioners that the younger brother of the Petitioner no.1 has been murdered for which an F.I.R. has been lodged before the concerned Police Station. Therefore, the accused persons who have been named in the F.I.R. have lodged F.I.R. in connivance with the Police. It is further submitted that although the Petitioners have not been named in the F.I.R. the Police is searching for them.

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 Nayadhikari Grama Nayalaya, Brahmagiri in G.R.Case No.279 of 2022 Corresponding to Brahmagiri P.S.Case No.130 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

