

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.16098 of 2022

Ashok Mallik and another *Petitioners*
Mr. S.C. Mohanty, Advocate
-versus-
State of Odisha *Opp. Party*
Mr. P.K. rout, A.G.A.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

22.12.2022

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).

Learned counsel for the petitioners is permitted to make necessary corrections in the cause title of the bail application in Court today.

2. Heard learned counsel for the petitioners and learned counsel for the State.

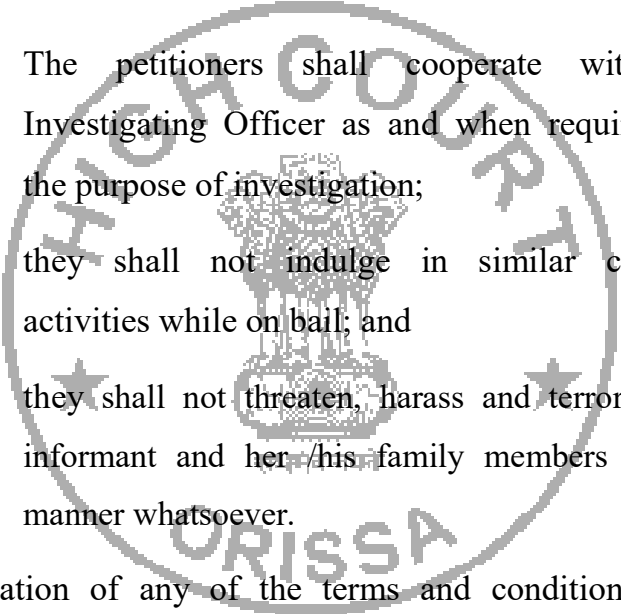
3. This is an application under Section 438, Cr.P.C. filed by the petitioners for anticipatory bail.

4. The petitioners are seeking pre-arrest bail in connection with G.R. Case No.1532 of 2022 arising out of Purighat P.S. Case No.286 of 2022, pending in the court of learned J.M.F.C.(City), Cuttack for commission of offences punishable under Sections 341/323/354/294/506/34, I.P.C.

5. It is submitted by learned counsel for the petitioners that the petitioners are tenant and the informant is the landlord. It is further submitted that there was a dispute with regard to tenancy as a result

of which the landlord has been falsely implicated the petitioners in the present case.

6. Considering the nature of allegation, gravity of offence and the fact of the case, I am not inclined to grant anticipatory bail to the petitioners. However, it is directed that in the event the petitioners surrender and move an application for bail before the learned court in seisin over the matter within a period of three weeks from today in the aforesaid case, they shall be released on bail on such terms and conditions as would be deemed just and proper with further conditions that :-

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- I. The petitioners shall cooperate with the Investigating Officer as and when required for the purpose of investigation;
 - II. they shall not indulge in similar criminal activities while on bail; and
 - III. they shall not threaten, harass and terrorize the informant and her/his family members in any manner whatsoever.

Violation of any of the terms and conditions shall entail cancellation of bail.

7. Accordingly, the ABLAPL is disposed of.

Urgent certified copy of this order be granted on proper application.

(A.K. Mohapatra)
Judge