IN THE HIGH COURT OF ORISSA AT CUTTACK
ABLAPL No.955 of 2025

1) Jayanta Kumar Jena **.....** ***Petitioners***
2) Jayakrushna @ Jayakrishna Jena
3) Prashanna @ Prasana Kumar Jena
4) Pravanjan Jena

Represented By Adv. -
Priya Ranjan Singh

-versus-

State Of Odisha **.....** ***Opposite Party***

Represented By Adv. –
Mr. Samaresh Jena,
A.S.C.

CORAM:
THE HON'BLE MR. JUSTICE ADITYA KUMAR MOHAPATRA

ORDER
31.01.2025

Order No.

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

2. Heard learned counsel for the Petitioners and 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 Section 420, 468, 471, 200, 109 of I.P.C. in C.T. Case No.577 of 2019 of the Court of learned S.D.J.M., Athagarh arising out of Khuntuni P.S. Case No.171 of 2019.

4. It is stated by learned counsel for the Petitioners that initially the present case arises out of land dispute between the Petitioners and the complainant group. He further contended that initially the

Petitioners were issued with a notice under Section 35 of B.N.S.S. He further submitted that due to some personal difficulty, the Petitioners could not appear. As a result of which the Petitioners are apprehending his arrest in the hands of the local police. He further submitted that although the case is of the year 2019, however, no final charge sheet has been filed as of now.

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 court in seisin over the matter 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 but subject to verification of criminal antecedent of the Petitioners. In the event it is found by the learned court below that the Petitioners are having any similar criminal antecedent, then this order shall automatically stand revoked.

6. The release of the petitioners shall also be subject to following conditions:-

I) shall cooperate with the investigation and appear before the I.O. as and when their presence is required and shall cooperate with the early conclusion of the investigation.

II) shall not indulge in similar criminal offences while on bail.

III) shall appear before the learned trial court on each and every date fixed unless prevented by any sufficient cause.

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

7. The ABLAPL is disposed of accordingly.

8. Urgent certified copy of this order be granted as per rules.

(A.K. Mohapatra)
Judge

Rubi

Signature Not Verified
Digitally Signed
Signed by: RUBI BEHERA
Reason: Authentication
Location: High Court of Orissa, Cuttack
Date: 04-Feb-2025 10:41:16