

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No. 181 of 2022

- 1. Ramachandra Swain**
- 2. Kanakalata Swain**
- 3. Bhanu Lenka**
- 4. Sashikant Swain**

.... **Petitioners**

Mr. S.K. Samantaray, Advocate

-versus-

State of Odisha

.... **Opp. Party**

Mr. D.K. Pani
Addl. Standing Counsel

CORAM:

JUSTICE S.K. SAHOO

ORDER

31.01.2022

Order No.

01. This matter is taken up by video conferencing mode.

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

This is an application under section 438 Cr.P.C. for grant of anticipatory bail to the petitioners in connection with Khurda Sadar P.S. Case No.183 of 2021 corresponding to G.R. Case No.1487 of 2021 pending in the Court of learned S.D.J.M., Khurda for alleged commission of offences under sections 294/417/420/467/468/506/34 of the Indian Penal

Code.

Perused the F.I.R..

It is submitted by the learned counsel for the petitioners that the case arises out of a complaint petition which was sent to Inspector-in-charge of Khurda Sadar police station under section 156(3) of Cr.P.C. and accordingly, the P.S. case was registered. It is further submitted that the petitioners and the informant are related to each other and there was civil dispute between the parties, for which the case has been foisted and the offences are triable by Magistrate and therefore, the bail application of the petitioners may be favourably considered.

Learned counsel for the State opposed the prayer for bail.

Considering the submission made by the learned counsels for the respective parties, the nature of accusation against the petitioners and the fact that the offences are triable by Magistrate, I am inclined to release the petitioners on anticipatory bail and accordingly, this Court directs that in the event of arrest of the petitioners in connection with the aforesaid case, they shall be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) each with one surety each for the like amount to the satisfaction of the arresting officer with further conditions that they shall make themselves

available for interrogation by the I.O. as and when required and they shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to the Investigating Officer.

Violation of any of the above conditions shall entail cancellation of bail.

The ABLAPL is accordingly disposed of.

Parties may utilize the soft copy of this order available in the High Court's website or print out thereof at par with certified copy in the manner prescribed vide Office Order dated 7th January 2022.

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