

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No. 229 of 2022

1. Sujan Sethi

2. Rinarani Sethi

.... Petitioners

Mr. U.C. Jena, Advocate

-versus-

State of Odisha

.... Opp. Party

Mr. K.K. Nayak,
Addl. Standing Counsel

CORAM:

JUSTICE S.K. SAHOO

ORDER

31.01.2022

Order No.

01.

This matter is taken up through Video Conferencing Mode.

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

This is an application under section 438 of Cr.P.C. for grant of anticipatory bail to the petitioners in connection with Bansada P.S. Case No. 332 of 2021 corresponding to G.R. Case No. 765 of 2021 pending in the Court of learned J.M.F.C., Chandabali for alleged commission of offences under sections 294/323/324/354/307/506/34 of the Indian Penal Code.

Perused the F.I.R. annexed to the anticipatory bail application.

Learned counsel for the petitioners submits that it is a case and counter case and at the instance of petitioner no.2 Rinarani Sethi Bansada P.S. Case No.331 of 2021 was instituted and in that case, the injured was the father of petitioner no.1 who was hospitalized and in the meantime he has died. Learned counsel further submitted that so far as the present case is concerned, there are no such injuries to attract the ingredients of the offence under section 307 of the Indian Penal Code and therefore, the anticipatory bail application of the petitioners may be favourably considered.

Learned counsel for the State has produced the case diary and submitted that there are three injured persons in this case, namely, Golekh Sethi, Pravat Sethi and Gajendra Sethi and all the injured persons have sustained simple injuries.

Considering the submissions of learned counsel for the respective parties, the nature of accusation against the petitioners and since the injured persons have sustained simple injuries, 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 two sureties 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 any facts to the Courts or to the Investigating Officer. Violation of any of the conditions shall entail cancellation of bail.

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 Officer Order dated 7th January 2022.

(S.K. Sahoo)
Judge