

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.276 of 2020

1. Dayanidhi Mohapatra
2. Damayanti Mohapatra
3. Anushree Mohapatra **Petitioners**

Mr. K. Pradhan, Advocate

-versus-

State of Odisha **Opp. Party**

Mr.D.K. Pani,
Addl. Standing Counsel

CORAM:
JUSTICE S.K. SAHOO

ORDER
07.01.2022

Order No.

03. This matter is taken up through Hybrid arrangement (video conferencing/physical mode).

Mr. K. Pradhan, learned counsel files an appearance memo on behalf of the petitioners after obtaining consent from the previously engaged counsel. The same is taken on record.

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 C.T. Case No.915 of 2019 arising out of Basta P.S. Case No.411 of 2019 pending in the Court of learned J.M.F.C., Basta for alleged commission of offences under sections 341/323/506/

307/34 of the Indian Penal Code.

Perused the F.I.R.

Considering the submission made by the learned counsel for the petitioners that due to the previous dispute between the parties, the case has been foisted and it is a case and counter case and there are no such materials against the petitioners so as to attract the ingredients of the offence under section 307 of the Indian Penal Code and that the injured Manjulata Mohapatra has sustained simple injury, which is not disputed by the learned counsel for the State after verifying the case diary, 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 anticipatory 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 above conditions shall entail cancellation of bail.

The ABLAPL is accordingly disposed of.

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

(S.K. Sahoo)
Judge

RKM

