

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.300 of 2022

1. Kanhu Behera
2. Kalakar Behera
3. Swapna Kumari Behera
4. Parvati Sahu @ Behera Petitioners

Mr. R.K. Nayak, Advocate

-versus-

State of Odisha Opp. Party

Smt. Susamarani Sahoo,
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 G.R. Case No.1746 of 2021 arising out of Rambha P.S. Case No.599 of 2021 pending in the Court of learned J.M.F.C., Khallikote for alleged commission of offences under sections 294/323/506/387/447/34 of the Indian Penal Code read with section 25 of the Arms Act.

Perused the F.I.R.

Learned counsel for the petitioners submitted that petitioner no.3 instituted a case against the complainant Gopal Krushna Behera before Rambha police station on 09.12.2021 and accordingly, a case under sections 376 and 506 of the Indian Penal Code was instituted and just a counter blast to the said case, the said Gopal Krushna Behera filed a complaint petition against the petitioners, which was forwarded under section 156(3) Cr.P.C. to Rambha police station and accordingly, the case has been registered. He further submitted that the offences are triable by Magistrate and therefore, the anticipatory bail application of the petitioners may be favourably considered.

Learned counsel for the State opposed the prayer for anticipatory bail.

Considering the submissions made by the learned counsel for the respective parties, the nature of accusation against the petitioners, the background of the case and since 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 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 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.

संक्षेपित न्यायो

(S.K. Sahoo)
Judge

RKM