

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No. 405 of 2022

**1. Akshya Kumar Pradhan
2. Ajaya Kumar Pradhan
3. Akash Kumar Pradhan
4. Sanjulata Pradhan
5. Padmabati Pradhan
6. Hagiri @ Sumati
Pradhan**

.... Petitioners

Mr. A. N. Pattanaik, Advocate

-versus-

State of Odisha

.... Opp. Party

Mr. J. P. Patra
Addl. Standing Counsel

CORAM:

JUSTICE S.K. SAHOO

ORDER

Order No.

01.02.2022

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.04 of 2022 arising out of Sabrang P.S. Case No.01 of 2022 pending in the Court of learned S.D.J.M., Bhadrak for alleged commission of

offences under sections 448/341/294/324/325/379/354/506/323/34 of the Indian Penal Code.

Perused the F.I.R.

In view of available material on record and the case having turned to one under section 307 of the Indian Penal Code and the nature of accusation, while not inclining to grant anticipatory bail to petitioners nos.1, 2 and 3, it is observed that in the event the petitioners nos.1, 2 and 3 surrender and move for bail before the learned Court below within a period of four weeks from today, the same shall be disposed of by the Courts below as expeditiously as possible in accordance with law and if any co-accused has been released on bail in the meantime, the claim of parity shall be taken into account. The case diary be made available before the Court concerned for disposal of the case.

So far as petitioners nos.4, 5 and 6 are concerned, considering the nature of accusation available on record against them and that they are ladies, keeping in view the proviso to section 437(1) of Cr.P.C., the background of the case and that it is a case and counter case, I am inclined to release them on anticipatory bail.

Accordingly, this Court directs that in the event of arrest of petitioners nos.4, 5 and 6 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.

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(S.K. Sahoo)
Judge