

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.612 of 2020

1. Mamata Sethy
2. Sita Sethy
3. Ranjita Sethy
4. Sasmita Sethy
5. Mita Sethy
6. Biswajit Sethy
7. Relu @ Rajesh Sethy
8. Nityananda Sethy
9. Bhajanananda Sethy **Petitioners**

Mr. A.N. Samantaray, Advocate

-versus-

State of Odisha

Opp. Party

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

CORAM:

JUSTICE S.K. SAHOO

ORDER

11.01.2022

Order No.

03. 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 Paradeep Lock P.S. Case No.05 of 2020 corresponding to G.R. Case No.10 of 2020 pending in the Court of learned J.M.F.C.(P), Kujanga

for alleged commission of offences under sections 147/148/294/341/337/454/323/436/307/120-B/149 of the Indian Penal Code.

Perused the FIR.

Learned counsel for the petitioners submitted that it is a case and counter case and due to civil dispute between the parties, the case has been foisted 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 petitioner nos.1 to 5 are ladies and therefore, the anticipatory bail application of the petitioners may be favourably considered.

Learned counsel for the State has produced the case diary and opposed the prayer for anticipatory bail.

Considering the submissions made by the respective parties, the nature of accusation against the petitioners, the background of the case and the fact that petitioner nos.1 to 5 are ladies, keeping in view the proviso to section 437(1) of Cr.P.C., 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.

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.

(S.K. Sahoo)
Judge

RKM