

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No. 591 of 2021

**1. Ranjit Naik
2. Sanjib Naik**

.... Petitioners

Mr.J.K. Panda, Advocate

-versus-

State of Odisha

.... Opp. Party

Mrs.Susamarani Sahoo
Addl. Standing Counsel

CORAM:

JUSTICE S.K. SAHOO

ORDER

03.03.2022

Order No.

01.

This matter is taken up through Hybrid Arrangement (Video Conferencing/Physical 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 C.T. Case No.02 of 2021 corresponding to Manamunda P.S. Case No.01 of 2021 pending in the Court of learned J.M.F.C., Kantamal for alleged commission of offences under sections 427/451/294/307/325/34 of the Indian Penal Code.

Perused the F.I.R.

Learned counsel for the petitioners submitted that it is a case and counter case and there was family dispute between the parties, for which the case has been foisted and therefore, the anticipatory bail application of the petitioners may be favourably considered.

Learned counsel for the State on the other hand, produced the injury report of Krushna Chandra Nayak which indicates that he has sustained three injuries, out of which two are on the head and opinion in respect of those injuries has been kept reserved and the 3rd injury is simple in nature. He further placed the statement of injured Krushan Chandra Nayak, from which it reveals that petitioner no.2 Sanjib Naik assaulted the injured by means of a Tangia on the head of the deceased.

In view of available material on record against petitioner no.2 Sanjib Naiak and the nature of injury sustained by the injured, while not inclining to grant anticipatory bail to him, it is observed that in the event petitioner no.2 surrenders and moves 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. The case diary be made available before the Court concerned for disposal of the case.

So far as petitioner no.1, Ranjit Naik is concerned, considering the nature of accusation available on record against him, the background of the case, I am inclined to release him on anticipatory bail.

Accordingly, this Court directs that in the event of arrest of petitioner no.1, Ranjit Naik in connection with the aforesaid case, he shall be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties each for the like amount to the satisfaction of the arresting officer with further conditions that he shall make himself available for interrogation by the I.O. as and when required and he 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.

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

p

(S.K. Sahoo)
Judge

