

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.614 of 2022

1. Krushna Chandra

Haboda

2. Manoj Kumar Haboda

3. Dinesh Kumar Haboda

4. Biswajit Behera **Petitioners**

Mr. N. Lenka, Advocate

-versus-

State of Odisha

.... **Opp. Party**

*Mr. Akshya Kumar Beura,
Addl. Standing Counsel*

**CORAM:
JUSTICE S.K. SAHOO**

**ORDER
02.02.2022**

Order No.

01. This matter is taken up through 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.37 of 2022 arising out of Kuliana P.S. Case No.06 of 2022 pending in the Court of learned S.D.J.M., Baripada for alleged commission of offences under sections 341/323/379/506/34 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 the dispute between the parties is relating to the lifting of sand and the offences are triable by Magistrate and therefore, the anticipatory bail application of the petitioners may be favourably considered.

Learned counsel for the State has produced the case diary, placed the injury report of the informant which indicates that he has sustained six injuries on different parts of the body out of which injury no.2 is grievous in nature.

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

(S.K. Sahoo)
Judge

RKM

