

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.769 of 2022

- 1. Kabita Mohanty**
- 2. Balaram Mohanty**
- 3. Sima @ Kunilata Mohanty**
- 4. Dhananjaya Mohanty**
- 5. Kailash Chandra Mohanty**
- 6. Rajalaxmi Mohanty**
- 7. Narendra Mohanty**
- 8. Manu Mohanty**
- 9. Malati Mohanty**
- 10. Benudhar Mohanty**

Petitioners

Mr.M.M. Pattnaik, Advocate

-versus-

State of Odisha

Opp. Party

Mr.Arupananda Das
Addl. Government Advocate

CORAM:
JUSTICE S.K. SAHOO

ORDER

03.02.2022

Order No.

01. This matter is taken up through video conferencing mode.

Heard learned counsel for the petitioners and learned counsel for the State as well as learned counsel for the informant.

This is an application under section 438 of Cr.P.C. for grant of anticipatory bail to the petitioners

in connection with Balipatna P.S. Case No.07 of 2022 corresponding to G.R. Case No.18 of 2022 pending in the Court of learned J.M.F.C. (O), Bhubaneswar for alleged commission of offences under sections 448, 294, 323, 324, 325, 354, 506/34 of the Indian Penal Code.

Learned counsel for the petitioners submitted that it is a case and counter case, the offences are triable by Magistrate and since some of the petitioners are ladies and the dispute is in between the petitioners and their co-villagers, the prayer for anticipatory bail 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, nature of accusation against the petitioner, the background of the case, keeping in view the proviso to section 437(1) of Cr.P.C. and the fact that the offences are triable by Magistrate, I am inclined to release the petitioner on anticipatory bail and accordingly, this Court directs that in the event of arrest of the petitioner in connection with the aforesaid case, they 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 they shall make themselves available for interrogation by

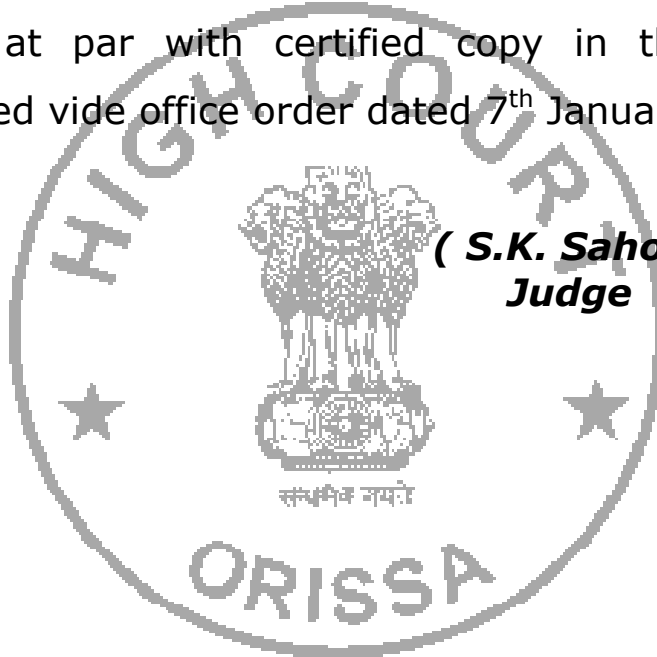
the I.O. as and when required and they shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing any facts to the Courts or to the Investigating Officer.

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



PKSahoo