

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.799 of 2022

- 1. Sadhabani Palei**
- 2. Babita Palei**
- 3. Kausalya @ Sapana Palei**
- 4. Babula Palei**
- 5. Ramesh Palei**
- 6. Prasanta Palei**

.... **Petitioners**

Mr. S.K. Dalai, Advocate

-versus-

State of Odisha

....

Opp. Party

Mr. J.P. Patra,
Addl. Standing Counsel

CORAM:

JUSTICE S.K. SAHOO

ORDER

03.02.2022

संक्षिप्त न्याय

Order No.

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.115 of 2022 arising out of Krushna Prasad P.S. Case No.09 of 2022 pending in the Court of learned S.D.J.M., Puri for alleged commission of offences under sections 341/294/323/

354/307/379/506/34 of the Indian Penal Code.

Perused the F.I.R.

Learned counsel for the petitioners submitted that the informant's group came up for construction of a self-help group house in front of the petitioners' residential house and over a water channel, which was protested to by the petitioners for which the case has been filed 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 therefore, the anticipatory bail application of the petitioners may be favourably considered.

Learned counsel for the State has produced the case diary and placed the injury reports of four injured persons, namely, Laxmipriya Mistri, Jayanti Panda, Purnabasi Tripathy and Santoshi Tripathy, which indicates that all of them have sustained simple injuries.

Considering the submissions made by the learned counsel for the respective parties, the nature of accusation against the petitioners, the background of the case and the fact that the injured persons have sustained simple injuries, 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