

**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**ABLAPL No.1155 of 2022**

**1. Kishan Tandi**

**2. Subash Bag @ Nag** .... **Petitioners**

Mr. R. Das, Advocate

-versus-

**State of Odisha**

.... **Opp. Party**

Mr. A.K. Beura,  
Addl. Standing Counsel

**CORAM:**

**JUSTICE S.K. SAHOO**

**ORDER**

**08.02.2022**

**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.27 of 2022 arising out of Junagarh P.S. Case No.28 of 2022 pending in the Court of learned Nyayadhikari -cum- J.M.F.C., Junagarh for alleged commission of offences under sections 341/294/324/307/506/34 of the Indian Penal Code.

Perused the F.I.R.

Learned counsel for the petitioners submitted

that the main allegation of assault is against co-accused Akash Mahalik and the accusation against the petitioners may at best constitute an offence under section 294 of the Indian Penal Code and therefore, the anticipatory bail application of the petitioners may be favourably considered.

Learned counsel for the State placed the F.I.R. from which it appears that co-accused Akash Mahalik assaulted the brother of the informant by means of a knife on his buttock for which he sustained bleeding injuries.

Considering the submissions made by the learned counsel for the respective parties, the nature of accusation against the petitioners, the nature of overt act against them and since the main allegation of assault is against co-accused Akash Mahalik, 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.

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

RKM

