

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.1358 of 2022

1. Sk. Makdum Alli

2. Sk. Alias Alli

3. Sk. Masjud Alli

4. Sk. Maltub Alli

.... Petitioners

Mr. J.K. Khuntia, Advocate

-versus-

State of Odisha

.... Opp. Party

*Mrs. Susamarani Sahoo,
Addl. Standing Counsel*

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

**ORDER
28.02.2022**

Order No.

03. 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.120 of 2022 arising out of Chandipur P.S. Case No.16 of 2022 pending in the Court of learned S.D.J.M., Balasore for alleged commission of offences under sections 448/341/323/324/354/379/427/307/506/34 of the Indian Penal Code.

Perused the first information report annexed to the anticipatory bail application.

Considering the submissions made by the learned counsel for the petitioners that it is a case and counter case and the dispute is between two neighbourers 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 the fact that in spite of grant of time twice, learned counsel for the State is unable to produce the injury report and take instruction about the criminal antecedents against the petitioners, 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.

(S.K. Sahoo)
Judge

RKM

