

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.1384 of 2022

1. Sukanta Sundaray @

Sundara

2. Subash Sundaray @

Sundara

....

Petitioners

Mr. J. Sahoo, Advocate

-versus-

State of Odisha

....

Opp. Party

*Mrs. Susamarani Sahoo,
Addl. Standing Counsel*

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

**ORDER
20.04.2022**

Order No.

02. 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 Nirakarpur P.S. Case No.206 of 2021 corresponding to G.R. Case No.545 of 2021 pending before the learned N.G.N. -cum- J.M.F.C., Tangi for commission of alleged offences under sections 323, 294, 354, 506/34 of the Indian Penal Code.

Perused the F.I.R. annexed to the anticipatory bail application.

Learned counsel for the State on instruction submitted that petitioner no.1 Sukanta Sundaray @ Sundara is having five criminal antecedents.

In view of availability of criminal antecedents against petitioner no.1 Sukanta Sundaray @ Sundara, while not inclining to grant anticipatory bail to him, it is observed that in the event petitioner no.1 surrenders and moves for bail, the learned Courts below shall dispose of the same in accordance with law expeditiously. The case records shall be made available to the Court concerned for disposal of the bail application.

So far as petitioner no.2 Subash Sundaray @ Sundara is concerned, considering the submission of the learned counsel for the petitioners that petitioner no.2 and the informant are co-villagers, there is background of civil dispute between them and the fact that the offences are triable by Magistrate, I am inclined to release him on anticipatory bail and accordingly, this Court directs that in the event of arrest of the petitioner no.2 in connection with the aforesaid case, he 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 he shall make himself available for interrogation by the I.O. as and when required and he 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.

(S.K. Sahoo)
Judge

PKSahoo

