

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.1489 of 2022

1. Purna Chandra Sethi

2. Koili Sethi

3. Basanta Sethi

....

Petitioners

Mr. A.C. Behera, Advocate

-versus-

State of Odisha

....

Opp. Party

Mr. J.P. Patra,

Addl. Standing Counsel

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

**ORDER
22.02.2022**

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 Khaira P.S. Case No.101 of 2021 corresponding to C.T. Case No.378 of 2021 pending in the Court of learned J.M.F.C., Soro for alleged commission of offences under sections 447/380/436/294/506/34 of the Indian Penal Code.

Perused the F.I.R.

Learned counsel for the petitioners submitted that the case arises out of a complaint petition, which

was forwarded to the Inspector in-charge of Khaira police station under section 156(3) Cr.P.C. and accordingly, Khaira P.S. Case No.101 dated 27.04.2021 was registered. It is further submitted that the complainant Panchanan Sethi is the brother and other petitioners are the family members of petitioner no.1 and there was civil dispute between the parties and on suspicion that the petitioners had set fire to the house, the case has been foisted and therefore, the anticipatory bail application of the petitioners 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, the relationship between the petitioners and the informant and the background of the civil dispute between the parties, 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 one surety 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 and with further conditions that they shall not try to keep any contact with the victim and they shall cooperate with the investigation.

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