

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No. 1636 of 2022

- 1. Kumar Gadanayak**
- 2. Susanta Kumar Das**
- 3. Jambeswar Das**
- 4. Pradeep Samantray**
- 5. Bhagirathi Das**
- 6. Natabar Biswal**
- 7. Biju Barad**
- 8. Giridhari Samantray**
- 9. Jaga Barad**

.... **Petitioners**

Mr. R.N. Panda, Advocate

-versus-

State of Odisha

.... **Opp. Party**

Mr. D.K. Mishra

Addl. Government Advocate

CORAM:

JUSTICE S.K. SAHOO

ORDER

Order No.

28.02.2022

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 G.R. Case No.32 of 2022 arising out of

Baideswar P.S. Case No.12 of 2022 pending in the Court of learned S.D.J.M., Banki for alleged commission of offences under sections 341/427/384/294/323/506/34 of the Indian Penal Code.

Perused the F.I.R.

Learned counsel for the petitioners submitted that the first information report was lodged against one Diba Das, who has already been arrested and released on bail and the petitioners have been subsequently entangled in the case on the basis of some statements recorded in the course of investigation and the offences are triable by Magistrate 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 and the fact that the offences are triable by Magistrate and taking into account release of the co-accused on bail, I am inclined to release the petitioners on anticipatory bail. 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.

Accordingly, the ABLAPL is disposed of.

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

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