

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.1714 of 2022

- 1. Biranchi Narayan Kandi
@ Biranchi Narayan
Mandi**
- 2. Susil Kumar Samantaray**
- 3. Asutosh Kandi**
- 4. Sura @ Surendra
Samantaray**
- 5. Birabhadra Kandi**
- 6. Suresh Chandra Barik**
- 7. Bibekananda Kandi**
- 8. Gagan Kandi**
- 9. Milu @ Bidut Kandi**

Petitioners

Mr. M. Chand, Advocate

-versus-

State of Odisha

Opp. Party

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

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

**ORDER
11.05.2022**

Order No.

02. This matter is taken up through Hybrid arrangement (video conferencing/physical mode).

Heard the 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 Banapur P.S. Case No.63 of 2022 corresponding to G.R. Case No. 56 of 2022 pending in

the Court of learned J.M.F.C., Banapur for commission of alleged offences under sections 341, 294, 323, 307, 325, 307,506/34 of the Indian Penal Code.

Learned counsel for the petitioners submitted that it is a case and counter case and there are no such materials to attract the ingredients of the offence under section 307 of the Indian Penal Code and therefore, the anticipatory bail application may be favourably considered.

Learned counsel for the State has produced the case diary and submitted that in this case, there is only one injured, namely, Bapuni Sahoo, who has sustained simple injuries and nothing is available in the case diary relating to the criminal antecedents against any of the petitioners.

Considering the submissions made by the learned counsel for the respective parties, the nature of accusation against the petitioners, absence of criminal antecedents and taking into account the nature of injuries sustained by the injured, 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 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.

Issue urgent certified copy as per Rules.



PKSahoo