

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No. 1766 of 2022

1. Sabita Mandal
2. Manjulata Mandal
3. Kamalakanta Mandal
4. Chandrakanta Mandal
5. Muktikanta Mandal **Petitioners**

Mr.V.N. Jena, Advocate

-versus-

State of Odisha **Opp. Party**

Mr. D.K. Mishra
Addl. Standing Counsel

CORAM:

JUSTICE S.K. SAHOO

ORDER

03.03.2022

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 Khantapada P.S. Case No.11 of 2022 corresponding to C.T. Case No.34 of 2022 pending in the Court of learned J.M.F.C. (R), Balasore for alleged commission of offences under sections 341/294/323/354/379/506/34 of the Indian Penal Code.

Perused the F.I.R.

Learned counsel for the petitioners submitted that petitioner no.1 instituted a case against the informant and others before Khantapada police station on 15.01.2020 and accordingly Khantapada P.S. Case No.10 of 2022 was registered under sections 376-AB/294/323/506/34 of the Indian Penal Code and section 6 of the POCSO Act and just as a counter blast to the said case, the present F.I.R. has been lodged against the petitioners. It is further submitted that the offences are triable by Magistrate and therefore, the bail application of the petitioners may be favourably considered.

Learned counsel for the State opposed the prayer for bail.

Considering the submission made by the learned counsel for the respective parties, the nature of accusation against the petitioners, the background of the case and the fact that the petitioners nos.1 and 2 are ladies and the offences are triable by Magistrate, 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.

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.

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