

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.1802 of 2022

**1. Akash Pradhan
2. Badal Pradhan
3. Kailash Parida @
Kailash Pradhan
4. Kalinga Pradhan
5. Swadhin Pradhan
6. Jharana Pradhan
7. Kanak Parida @
Pradhan
8. Byomokesh Pradhan @
Babul**

.... Petitioners

Mr. J.N. Panda, Advocate

-versus-

State of Odisha

.... Opp. Party

*Mr. S.S. Pradhan,
Addl. Government Advocate*

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

ORDER

08.03.2022

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 G.R. Case No.37 of 2022 arising out of Khandapada P.S. Case No.38 of 2022 pending

in the Court of learned J.M.F.C., Khandapada for alleged commission of offences under sections 294/323/324/341/379/307/506/34 of the Indian Penal Code.

Perused the first information report annexed to the anticipatory bail application.

Considering the submissions made by the learned counsel for the petitioners that it is a case and counter case and there are no such materials against the petitioners so as to attract the ingredients of the offence under section 307 of the Indian Penal Code and on hearing the learned counsel for the State, who submitted that two of the injured persons, namely, Brahmachari Parida and Srihari Parida have sustained simple injuries and injured Balaram Parida has sustained two injuries but one of them has been opined to be grievous in nature and after going through the 161 Cr.P.C. statement of the injured persons, it appears that no specific overt act has been alleged against any of the accused persons and absence of any material as to who assaulted on the head of the injured for which he sustained grievous injury and further taking into account the background of the case, 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 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.

(S.K. Sahoo)
Judge

RKM