

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.2011 of 2022

- 1. Jatindra Nayak**
- 2. Madhusmita Nayak**
- 3. Sibani Mohanty**
- 4. Reeta Mohanty @ Rita Mohanty**
- 5. Saroj Panigrahi @ Saroj Kumar Panigrahi**
- 6. Susanta Mohanty @ Susanta Kumar Mohanty**
- 7. Narayan Jena @ Narayan Prasad Jena**
- 8. Anita Jena**
- 9. Arati Muduli**
- 10. Subrat Sekhar Chand**
- 11. Kedar Pradhan @ Kedar Chandra Pradhan**
- 12. Laxmipriya Pradhan**

.... **Petitioners**

Mr.M.K. Rath, Advocate

-versus-

State of Odisha

.... **Opp. Party**

Mrs. Susamarani Sahoo,
Addl. Standing Counsel

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

ORDER

15.03.2022

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 Infocity P.S. Case No.49 of 2022 corresponding to C.T Case No.1082 of 2022 pending before the learned S.D.J.M., Bhubaneswar for commission of alleged offences under sections 341, 342, 294, 323, 383, 307, 506/34 of the Indian Penal Code.

Learned counsel for the petitioners submitted that some of the co-accused persons were taken into custody and they have already been released on bail and there is no specific overt act against the petitioners and therefore, the anticipatory bail application of the petitioners may be favourably considered.

Learned counsel for the State has produced the case diary and opposed the prayer for bail.

Considering the submissions made by the learned counsel for the respective parties, since petitioner no.2 Madhusmita Nayak, petitioner no.3 Sibani Mohanty, petitioner no.4 Reeta Mohanty @ Rita Mohanty, petitioner no.8 Anita Jena, petitioner no.9 Arati Muduli and petitioner no.12 Laxmipriya Pradhan are ladies and keeping in view the proviso to section 437(1) of Cr.P.C., I am inclined to release them on anticipatory bail and accordingly, this Court directs

that in the event of arrest of the petitioner nos.2, 3, 4, 8, 9 and 12 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.

In view of the available materials on record and considering the nature of accusation against petitioner no.1 Jatindra Nayak, petitioner no.5 Saroj Panigrahi @ Saroj Kumar Panigrahi, petitioner no.6 Susanta Mohanty @ Susanta Kumar Mohanty, petitioner no.7 Narayan Jena @ Narayan Prasad Jena, petitioner no.10 Subrat Sekhar Chand and petitioner no.11 Kedar Pradhan @ Kedar Chandra Pradhan, while not inclining to grant anticipatory bail to them, it is observed that in the event petitioners nos.1, 5, 6, 7, 10 and 11 surrender and move for bail, the learned Courts below shall dispose of the same in accordance with law expeditiously and the claim of parity with the co-accused persons, who are stated to have been released

on bail, shall be taken into account at the time of adjudication of the bail application. The case diary be made available before the Court concerned for disposal of the case

The ABLAPL is accordingly disposed of.

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

(S.K. Sahoo)
Judge

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