

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.2028 of 2022

**1. Ganesh Kumar Sahu
2. Kartika Kumar Sahoo
3. Manoj Kumar Sahu
4. Chandana Sahu**

.... Petitioners

Mr. S.K. Nayak, Advocate

-versus-

State of Odisha

.... Opp. Party

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

**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 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 Mangalabag P.S. Case No.27 of 2022 corresponding to G.R. Case No. 189 of 2022 pending in the Court of learned J.M.F.C.(City), Cuttack for commission of alleged offences under sections 341, 323, 294, 506, 354/34 of the Indian Penal Code.

Learned counsel for the petitioners submits that

there is civil dispute between the parties and a civil suit has also been instituted relating to such dispute, which is subjudiced in the Court of learned Civil Judge (Senior Division) 1st Court, Cuttack in C.S. No.1112 of 2015. It is further submitted that the offences are triable by Magistrate and therefore, the prayer for anticipatory bail 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, the nature of accusation against the petitioners, the background of civil dispute between the parties and the fact that 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 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

(S.K. Sahoo)
Judge

