

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.2049 of 2022

1. Pintu Palei @ Palai
2. Babun Palei @ Palai
3. Ranjit Palei @ Palai @
Jagu Polei
4. Prasada Palei @ Palai Petitioners

Mr.S.K. Bhanjadeo, Advocate

-versus-

State of Odisha Opp. Party

Mr.P.K. Mohanty,
Addl. Standing Counsel

CORAM:
JUSTICE S.K. SAHOO

ORDER
30.03.2022

Order No.

03. 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 Khallikote P.S. Case No.96 of 2022 corresponding to G.R. Case No.208 of 2022 pending before the learned J.M.F.C., Khallikote for commission of alleged offences under sections 452, 294, 323, 324, 307, 325, 379/34 of the Indian Penal Code.

Perused the F.I.R. annexed to the anticipatory bail application.

Learned counsel for the State on instruction submitted that there are three injured persons in the case and the injured Laxman Barik and one Surendra Barik have sustained simple injuries whereas one Kumari Barik, who has sustained stab injury, has been referred to M.K.C.G. Medical College and Hospital, Berhampur. It is further submitted that the petitioner nos.1, 2 and 4 have got criminal antecedents.

In view of the nature and gravity of accusation and availability of criminal antecedents against the petitioner nos.1, 2 and 4, while not inclining to grant anticipatory bail to them, it is observed that in the event they surrender in the learned Court below and move for bail, the learned Courts below shall dispose of the same in accordance with law expeditiously. The case records shall be made available to the Courts concerned for disposal of the bail application.

Considering the nature of accusation against petitioner no.3 Ranjit Palei @ Palai @ Jagu Polei and in absence of any specific overt act against him or any criminal antecedents, I am inclined to release him on anticipatory bail and accordingly, this Court directs that in the event of arrest of the petitioner no.3 in connection with the aforesaid case, he shall be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties each for

the like amount to the satisfaction of the arresting officer with further conditions that he shall make himself available for interrogation by the I.O. as and when required and he 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.

(S.K. Sahoo)
Judge

PKSahoo

