

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.2112 of 2022

**1. Abhinash @ Abinash
Khilar**

2. Sabita Khilar

....

Petitioners

Mr. A. Mohanty, Advocate

-versus-

State of Odisha

....

Opp. Party

*Smt. Susamarani Sahoo,
Addl. Standing Counsel*

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

**ORDER
12.05.2022**

Order No.

02.

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 Kamakhyanagar P.S. Case No.58 of 2022 corresponding to C.T. (Spl.) POCSO Case No. 12 of 2022 pending in the Court of learned Addl. Sessions Judge, Dhenkanal for commission of alleged offences under sections 341/363/342/323/376(2)(n)/307/328/506/34 of the Indian Penal Code and section 6(1) of POCSO Act.

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

Learned counsel for the State has produced the 164 Cr.P.C. statement of the victim from which it appears that she has stated nothing against the two petitioners, who are the brother in-law and sister of the main accused respectively. The copy of the 164 Cr.P.C. of the victim produced by the learned counsel for the State is taken on record.

Considering the submissions made by the learned counsel for the respective parties, the nature of accusation against the petitioners and since the victim has given a clean chit to the petitioners, 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.

(S.K. Sahoo)
Judge