

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.2216 of 2022

1. Tapas Kumar Jena

2. Bhimsen Malik

3. Manoj Kumar Das

4. Prasanta Malik

5. Dillip Kumar Malik

6. Nimain Malik

7. Harischandra Das

8. Pradeep Malik

9. Kajal Malik

10. Mithun Malik

11. Nakula Chandra Malik Petitioners

Mr. P.R. Chhatoi, Advocate

-versus-

State of Odisha

.... Opp. Party

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

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

Order No.

22.03.2022

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 C.T. Case No.459 of 2022 arising out of

Bari Ramachandrapur P.S. Case No.52 of 2022 pending in the Court of learned S.D.J.M., Jajpur for alleged commission of offences under sections 147, 148, 294, 448, 323, 354, 506, 149 of the Indian Penal Code.

Perused the F.I.R.

Considering the submission made by the learned counsel for the petitioners that due to political dispute between the parties, the case has been foisted and it is a case and counter case and the offences are triable by Magistrate and on hearing the learned counsel for the State who submitted that the informant Babaji Charan Jena has sustained one injury which has been opined to be grievous in nature but no specific overt act has been alleged against any of the petitioners rather it is stated that in an omnibus manner all of them have participated in the assault, 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 one surety 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

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