

**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**ABLAPL No.2222 of 2022**

**1. Pramod Kumar Nayak**

**2. Saroj Lenka**

**3. Manoj Kumar Lenka**

**4. Satyabrata Nayak**

**5. Prasanta Mahakud**

....

**Petitioners**

*Mr.U.C. Jena, 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.**

02. 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 G.R. Case No.159 of 2022 arising out of Dhamara P.S. Case No.22 of 2022 pending in the Court of learned J.M.F.C., Chandabali for alleged commission of offences under sections 147/148/323/307/294/506/379/149 of the Indian Penal Code.

Perused the F.I.R.

Learned counsel for the State on instruction submitted that there are five injured persons in this case, namely, Suresh Chandra Mahanta, Bapuji Sethy, Pravakar Jena, Birendra Jena and Bipra Chandra Jena and all of them have sustained simple injuries. However he submitted that petitioner no.1 Pramod Kumar Nayak has got seven criminal antecedents, petitioner no.2 Saroj Lenka has got eight criminal antecedents and petitioner no.4 Satyabrata Nayak has got six criminal antecedents.

In view of the criminal antecedents of petitioners nos.1,2 and 4, while not inclining to grant anticipatory bail to them, it is observed that in the event the petitioner no.1 Pramod Kumar Nayak, petitioner no.2 Saroj Lenka and petitioner no.4 Satyabrata Nayak surrender in the Court below within a period of four weeks from today and move for bail, the same shall be disposed of as expeditiously as possible by the Courts below in accordance with law. The case records shall be made available to the Court concerned.

So far as petitioner no.3 Manoj Kumar Lenka and petitioner no.5 Prasanta Mahakud are concerned, taking into account the nature of accusation against them, the nature of injury sustained by the injured persons and absence of any criminal antecedents, I am inclined to release them on anticipatory bail. Accordingly, this Court directs that in the event of

arrest of petitioner no.3 Manoj Kumar Lenka and petitioner no.5 Prasanta Mahakud 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 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**

RKM