

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.2291 of 2022

- 1. Mitra Bhanu Das**
- 2. Basanta Kumar Nayak**
- 3. Damodar Bilas**
- 4. Harihar Bilas**
- 5. Ritesh Ranjan Swain**
- 6. Ajay Kumar Das**
- 7. Arun Das**
- 8. Amulya Das**
- 9. Banbir Das**
- 10. Tarun Das**
- 11. Akshay Kumar Das**
- 12. Premananda Das**
- 13. Basanta Das**
- 14. Banamali Das**
- 15. Surendra Das**
- 16. Sukanta Mallick**
- 17. Hemanta Das**
- 18. Bichitra Das**
- 19. Guru Gobinda Das**
- 20. Gangadhar Das**
- 21. Prahallad Nayak**
- 22. Ramesh Chandra Das**
- 23. Braja Bandhu Das**
- 24. Kartik Kumar Das** **Petitioners**

Mr. A.K. Sahoo, Advocate

-versus-

State of Odisha **Opp. Party**

Mrs. Susamarani Sahoo
Addl. Standing Counsel

CORAM:
JUSTICE S.K. SAHOO

ORDER
05.04.2022

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 Bansada P.S. Case No.78 of 2022 corresponding to G.R. Case No.175 of 2022 pending before the learned J.M.F.C., Chandbali for commission of alleged offences under sections 341, 323, 379, 307, 427/34 of the Indian Penal Code.

Considering the submission made by the learned counsel for the State that the injured in this case is one Basudev Ghadei and specific overt act of assault on the injured has been attributed against petitioner nos. 6 Ajay Kumar Das and petitioner no.3 Damodar Bilas and after going through the instruction on criminal antecedents received by the learned counsel for the State from the Officer in charge of Bansada police station, which reveals that petitioner no.1 Mitra Bhanu Das, petitioner no.6 Ajay Kumar Das, petitioner no.9 Banbir Das, petitioner no.11 Akhay Das, petitioner no.12 Premananda Das, petitioner no.13 Basant Das petitioner no.14 Banamali Das, petitioner no.15 Surendra Das have criminal antecedents each, while not inclining to grant anticipatory bail to petitioner nos. 1, 3, 6, 9,

11, 12, 13, 14 and 15, it is observed that in the event petitioner nos. 1, 3, 6, 9, 11, 12, 13, 14 and 15 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 diary be made available before the Court concerned for disposal of the case.

So far as petitioners nos. 2, 4, 5, 7, 8, 10, 16 to 24 are concerned, in absence of any specific overt act against them and absence of any criminal antecedents and the nature of injuries sustained by the injured, I am inclined to release them on anticipatory bail and accordingly, this Court directs that in the event of arrest of the petitioners nos. 2, 4, 5, 7, 8, 10, 16 to 24 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.

Urgent certified copy of this order be granted
on proper application.

(S.K. Sahoo)
Judge

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