

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.2318 of 2022

**1. Bikram Kehsari Swain
@ Guna
2. Sudarsan Prusty @
Subash
3. Alok Kumar Das @
Guna
4. Laxmidhar Nayak Petitioners**

Mr.B.K. Nayak, Advocate

-versus-

State of Odisha Opp. Party

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

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

**ORDER
30.03.2022**

सत्यमेव जयते

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 Pipili P.S. Case No.65 of 2022 corresponding to G.R. Case No.111 of 2022 pending before the learned J.M.F.C., Pipili for commission of alleged offences under sections 147, 148, 294, 323, 325, 379, 506, 341/149 of the Indian Penal Code and

section 25 of the Arms Act, 1959.

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

Learned counsel for the State on instruction submitted that the petitioner no.1 Bikram Kehsari Swain @ Guna has got three criminal antecedents whereas the other petitioners have got no criminal antecedent.

In view of availability of criminal antecedents against petitioner no.1, while not inclining to grant anticipatory bail to him, it is observed that in the event he surrenders in the learned Court below and moves 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.

So far as petitioner nos.2 to 4 are concerned, considering the submission that there is no criminal antecedents against any of the petitioners and that the case arises out of a political dispute during the last Gram Panchayat election and the fact that the offences are triable by Magistrate, I am inclined to release petitioner nos.2 to 4 on anticipatory bail and accordingly, this Court directs that in the event of arrest of the petitioner nos. 2 to 4 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

PKSahoo

