

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.2380 of 2022

1. Bhramarbara Behera

2. Abhisek Behera

3. Bibhuti @ Bibhuti

Bhusan Das

4. Ranjay @ Ranjay Kumar

Mishra

.... Petitioners

Mr. A. Tripathy, Advocate

-versus-

State of Odisha

....

Opp. Party

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

CORAM:

JUSTICE S.K. SAHOO

ORDER

23.03.2022

Order No.

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 of Cr.P.C. for grant of anticipatory bail to the petitioners in connection with Mancheswar P.S. Case No.58 of 2022 corresponding to C.T. Case No. 1176 of 2022 pending in the Court of learned S.D.J.M., Bhubaneswar for alleged commission of offences under sections

342/323/379/506/34 of the Indian Penal Code.

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

Learned counsel for the petitioners submits that it is a case and counter case and the petitioners were cheated by the informant for which Mancheswar P.S. Case No.57 dated 26.02.2022 was registered under sections 420/467/468/34 of the Indian Penal Code and the informant has already been taken into custody and just as a counter blast to the said case, a false F.I.R. has been lodged against the petitioners. It is further submitted that the offences alleged against the petitioners are triable by Magistrate and therefore, the bail application of the petitioners may be favourably considered.

Learned counsel for the State opposed the prayer for bail.

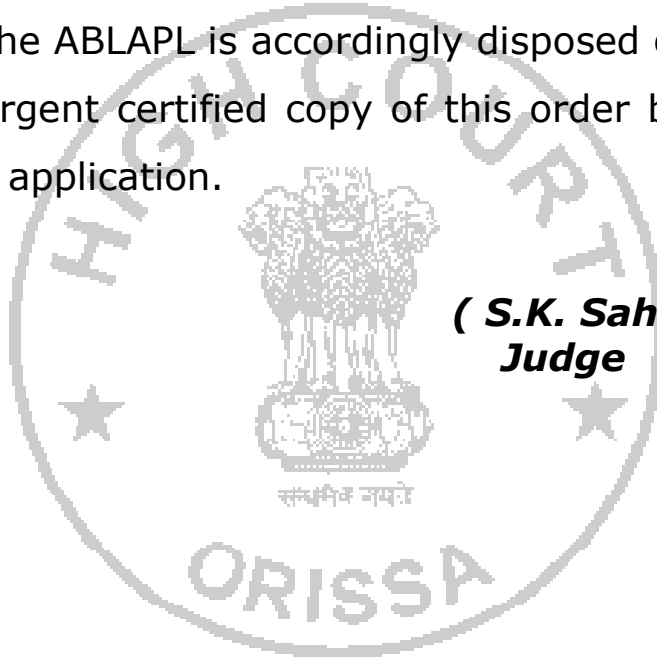
Considering the submissions of learned counsel for the respective parties, the nature of accusation against the petitioners, the background of the case and the fact that the offences are triable by Magistrate, I am inclined to release the petitioners on anticipatory bail and accordingly, this Court directs 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 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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