

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.2383 of 2022

1. *Bebina Parida @ Podi Parida*

2. *Bani Parida @ Bini* *Petitioners*

Mr.J. Sahoo, Advocate

-versus-

State of Odisha

.... Opp. Party

*Mr. D.K. Pani,
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. in connection with Tangi P.S. Case No.46 of 2022 corresponding to G.R. Case No.52 of 2022 pending in the Court of learned N.G.N. -cum- J.M.F.C., Tangi for offences punishable under sections 341, 323, 324, 325, 294, 506/34 of the Indian Penal Code.

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

Learned counsel for the petitioners submitted that petitioner no.1 is the daughter of petitioner no.2 and both the petitioners and the informant are neighbours and there was previous dispute between them for which the case has been foisted against the petitioners. Learned counsel further submitted that the offences are triable by Magistrate and the only non-bailable offence is one under section 506 of the Indian

Penal Code and therefore, the anticipatory bail application of the petitioners may be favourably considered.

Learned counsel for the State opposed the prayer for anticipatory bail.

Considering the submissions made by the learned counsel for the respective parties, the nature of accusation against the petitioners and since the offences are triable by Magistrate and the only non-bailable offence is one under section 506 of the Indian Penal Code and keeping in view the proviso to section 437(1) of Cr.P.C., 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 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.

Issue urgent certified copy as per Rules.

(S.K. Sahoo)
Judge

PKSahoo