

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.2449 of 2022

1. Kartik Chandra Jena
2. Sushilkanta Patra @
Sashikanta Patra
3. Rama Patra @ Rama
Chandra Patra
4. Ganesh Mahanty @
Ganesh Kumar Mohanty
5. Ramesh Mohanty @
Ramesh Chandra Mohanty
6. Biswanath Mohanty
7. Rashmikanta Patra
8. Babula Swain
9. Bubu Lenka @ Rajesh
Lenka

Petitioners

Mr.B. Pasayat, Advocate

-versus-

State of Odisha

Opp. Party

Mr.Arupananda Das,
Addl. Government Advocate

CORAM:
JUSTICE S.K. SAHOO

ORDER

29.03.2022

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 Cr.P.C. for grant of anticipatory bail to the petitioners

in connection with C.T. Case No.1196 of 2022 arising out of Khandagiri P.S. Case No.100 of 2022 pending in the Court of learned S.D.J.M., Bhubaneswar for alleged commission of offences under sections 341/323/294/506/34 of the Indian Penal Code.

Perused the first information report annexed to the anticipatory bail application.

Considering the submissions made by the learned counsel for the petitioners that there is existence of civil dispute between the parties and in fact, a civil suit is subjudiced before the learned Civil Judge (Junior Division), Bhubaneswar and the offences are triable by Magistrate and the only non-bailable offence is under section 506 of the Indian Penal Code and on hearing the learned counsel for the State, 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.

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

(S.K. Sahoo)
Judge

RKM

