

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.2517 of 2022

**1. Babuna @ Rakesh
Kumar Mohanty**

2. Sachin Sahoo

**3. Nana Mohanty @
Subrajit Mohanty**

**4. Chandan @ Chandan
Moharana**

**5. Gopa Panda @
Bishnudutta Panda**

.... Petitioners

Mr.B.B. Barik, Advocate

-versus-

State of Odisha

.... Opp. Party

*Mrs. Susamarani Sahoo,
Addl. Standing Counsel*

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

ORDER

07.04.2022

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 C.T. Case No.1167 of 2022 arising out of Dhauli P.S. Case No.46 of 2022 pending in the Court of learned S.D.J.M., Bhubaneswar for alleged commission of offences under sections 341/323/324/

325/307/294/385/506/34 of the Indian Penal Code.

Perused the F.I.R.

Learned counsel for the State on instruction submitted that petitioner no.2 Sachin Sahoo, petitioner no.3 Nana Mohanty @ Subrajit Mohanty and petitioner no.5 Gopa Panda @ Bishnudutta Panda have criminal antecedents. He has also filed the injury report, which is taken on record.

Considering the nature of accusation against the petitioners nos.2, 3 and 5 and the criminal antecedents, while not inclining to grant anticipatory bail to them, it is observed that in the event the petitioner no.2 Sachin Sahoo, petitioner no.3 Nana Mohanty @ Subrajit Mohanty and petitioner no.5 Gopa Panda @ Bishnudutta Panda surrender in the Court below within a period of four weeks from today and move for bail, the same shall be disposed of as expeditiously as possible by the Courts below in accordance with law. The case records shall be made available to the Court concerned.

So far as petitioner no.1 Babuna @ Rakesh Kumar Mohanty and petitioner no.4 Chandan @ Chandan Moharana are concerned, in view of the nature of accusation against the petitioners nos.1 and 4, injury sustained by the injured and absence of any criminal antecedents, I am inclined to release them on anticipatory bail. Accordingly, this Court directs that in the event of arrest of petitioner no.1 Babuna @

Rakesh Kumar Mohanty and petitioner no.4 Chandan @ Chandan Moharana 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