

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.2571 of 2022

1. Subham Behera

**2. Kanha @ Sujeet
Paramanik**

.... Petitioners

Mr.A.R. Panda, Advocate

-versus-

State of Odisha

.... Opp. Party

*Mr.J.P. Patra,
Addl. Standing Counsel*

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

**ORDER
06.04.2022**

Order No.

02. This matter is taken up through Hybrid arrangement (video conferencing/physical mode).

Heard the 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 Bamapada (Industrial Area) P.S. Case No.42 of 2022 corresponding to C.T. Case No. 175 of 2022 pending in the Court of learned S.D.J.M., Balasore for commission of alleged offences under sections 452, 341, 294, 323, 307, 354, 506/34 of the Indian Penal Code.

Learned counsel for the State on instruction submitted that there are no criminal antecedents

against the petitioner no.1 Subham Behera and there are three injured persons in this case, namely, Manmath Behera, Kaushik Behera and Prabhanjan Behera. The injury reports furnished by the Medical Officer, CHC, Remuna indicate that Manmath Behera and Prabhanjan Behera have sustained simple injuries, but so far as the medical reports of the aforesaid three injured persons furnished by the Medical Officer of District Headquarters Hospital, Balasore are concerned, it is indicated that they have sustained injury, but final opinion has not yet been given. The injury reports and instruction filed by the learned counsel for the State be kept on record.

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

Considering the nature of accusation against the petitioners and the submission made by the learned counsel for the petitioners that the ingredients of the offence under section 307 of the Indian Penal Code are not attracted, 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 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