

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.2650 of 2022

- 1. Basant Kumar Manika
@ Bagu**
 - 2. Rama Chandra Jena**
 - 3. Santosh Kumar Sahoo**
 - 4. Surendra Kumar
Mohanty**
 - 5. Prasant Kumar Das**
 - 6. Santosh Kumar Manika**
 - 7. Prasanta Manika**
 - 8. Santosh Kumar Sahoo**
 - 9. Prasanna Sathy @
Gandhia**
 - 10. Ajaya Kumar Prusty @
Aju**
 - 11. Akshya Kumar Manika**
 - 12. Pradeeppta Kumar
Barik @ Tutu**
 - 13. Jayant Kumar Pradhan**
- Petitioners**

Mr. B. Jalli, Advocate

-versus-

State of Odisha

Opp. Party

*Mr. Arupananda Das,
Addl. Government Advocate*

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

ORDER

05.04.2022

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 G.R. Case No.353 of 2022 arising out of Baghamari P.S. Case No.25 of 2022 pending in the Court of learned S.D.J.M., Khurda for alleged commission of offences under sections 341/294/ 323/34 of the Indian Penal Code.

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

Learned counsel for the State submitted that though the case was registered under bailable offence but subsequently the offence under sections 354-B and 506 of the Indian Penal Code have been added and the Investigating Officer contemplated to serve the notices under section 41A of Cr.P.C. on the petitioners but they denied to receive the notices and comply with the terms and conditions of the same.

Considering the submissions made by the learned counsel for the respective parties, the nature of accusation against the petitioners and the fact that the offences are triable by Magistrate 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 with further condition that the petitioners except petitioner no.12 Pradeeppta Kumar Barik @ Tutu, who is stated to be in service at Jammu and Kashmir, shall appear before the Investigating Officer on 13.04.2022 and cooperate with the investigation and they shall further appear before the Investigating Officer on the dates fixed but to that effect, written intimation shall be handed over to them in advance. If the petitioners fails to appear either on 13.04.2022 or on the subsequent dates, the prosecuting agency is at liberty to take steps for cancellation of the anticipatory bail order of the petitioners.★

Violation of any of the above conditions shall entail cancellation of bail.

The ABLAPL is accordingly disposed of.

A free copy of the order be handed over to the learned counsel for the State for communication to the Investigating Officer.

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

(S.K. Sahoo)
Judge