

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.2775 of 2022

**1. Sanjay Das @ Sanja @
Sandeep Das**

2. Jitendra Das @ Jitu

3. Rabindranath Barik Petitioners

Mr.K. Mishra, Advocate

-versus-

State of Odisha Opp. Party

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

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

**ORDER
27.04.2022**

Order No.

03. 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.113 of 2022 arising out of Khuntuni P.S. Case No.54 of 2022 pending in the Court of learned S.D.J.M., Athagarh for alleged commission of offences under sections 341/323/307/506/34 of the Indian Penal Code.

Perused the F.I.R.

Learned counsel for the State on instruction submitted that there are two injured persons in this case, namely, Sangram Mohanty and Loknath Beura and both of them have

sustained simple injuries. However he submitted that petitioner no.1 Sanjay Das @ Sanja @ Sandeep Das has got two criminal antecedents.

In view of the availability of criminal antecedents against the petitioner no.1 Sanjay Das @ Sanja @ Sandeep Das, while not inclining to grant him anticipatory bail, it is observed that in the event he surrenders in the Court below within a period of four weeks from today and moves 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.

The interim order dated 06.04.2022 so far as petitioner no.1 is concerned stands vacated.

So far as petitioner no.2 Jitendra Das @ Jitu and petitioner no.3 Rabindranath Barik are concerned, taking into account the nature of accusation against them, the nature of injury sustained by the injured persons and absence of any criminal antecedents and the fact that the petitioners nos.2 and 3 have been granted interim protection since 06.04.2022 and there are no materials that they have misutilized their liberty, the interim order dated 06.04.2022 is made absolute.

The ABLAPL is accordingly disposed of.

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

(S.K. Sahoo)
Judge