

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.2837 of 2022

Sushanta Kumar Behera* *Petitioner

*Ms. Manasi Mohapatra,
Advocate*

-versus-

State of Odisha* *Opp. Party

*Mr. A.K. Beura,
Addl. Standing Counsel*

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

**ORDER
26.04.2022**

Order No.

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

Heard learned counsel for the petitioner and learned counsel for the State.

This is an application under section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in connection with Basudebpur P.S. Case No.45 of 2022 corresponding to G.R. Case No.95 of 2022 pending in the Court of learned J.M.F.C., Basudebpur for alleged commission of offences under sections 307/294/506/34 of the Indian Penal Code.

Perused the F.I.R.

Learned counsel for the petitioner submitted that the petitioner is the elder brother of the injured

and there was dispute between them in connection with the pension amount of their deceased father. It is further submitted that one of the co-accused, namely, Sabita Nayak has already been released on bail by this Court in ABLAPL No.2742 of 2022 vide order dated 06.04.2022 and therefore, the anticipatory bail application of the petitioner may be favourably considered.

Learned counsel for the State has produced the case diary and submitted that one Sumanta Kumar Behera is the injured in the case and he has sustained four injuries, which have been opined to be simple in nature.

Considering the submissions made by the learned counsel for the respective parties, the nature of accusation against the petitioner, the background of the case and the nature of injuries sustained by the injured, I am inclined to release the petitioner on anticipatory bail and accordingly, this Court directs that in the event of arrest of the petitioner in connection with the aforesaid case, he shall be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties each for the like amount to the satisfaction of the arresting officer with further conditions that he shall make himself available for interrogation by the I.O. as and when required and he 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