

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.2849 of 2022

1. **Atri Ranjan Das @ Atri Das**
2. **Manabhanjan Das**
3. **Bhagirathi Mallik @ Babula**
4. **Md.Islam Khan @ Sk. Islam Khan**
5. **Laba Pradhan @ Padmanabha Pradhan**
6. **Laxman Khamari**
7. **Netra Khamari**
8. **Sanjaya Singh @ Ramia**
9. **Ranjan Kumar Jagadala**
10. **Kambhu Jagadala**
11. **Ambhu Jagadala**
12. **Dasamu Jagadala**
13. **Rajendra Kumar Jagadala**
14. **Jambhu Jagadala**
15. **Sandheswar Bhaina** **Petitioners**

Mr. J.K. Panda, Advocate

-versus-

State of Odisha **Opp. Party**

*Mr. Arupananda Das,
Addl. Government Advocate*

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

ORDER

19.04.2022

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 Manamunda P.S. Case No.50 of 2022 corresponding to C.T. Case No.77 of 2022 pending before the learned J.M.F.C., Kantamal for commission of alleged offences under sections 143, 147, 148, 294, 323, 324, 325, 506, 307, 427, 435/149 of the Indian Penal Code and sections 25 and 27 of the Arms Act.

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

Learned counsel for the State on instruction submitted that except petitioner no.1 Atri Ranjan Das @ Atri Das, petitioner no.2 Manabhanjan Das, petitioner no.4 Md. Islam Khan, petitioner no.7 Netra Khamari, and petitioner no.15 Sandheswar Bhaina, all other petitioners have got criminal antecedents.

Learned counsel for the petitioners submitted that it is a case and counter case and the informant's husband Gopinath Bhoi is the injured in the case and he has sustained simple injuries and therefore, the anticipatory bail application may be favourably considered. Learned counsel for the petitioners has filed the injury report, which is taken on record.

Considering the submissions made by the learned counsel for the respective parties, the nature of accusation against petitioners nos. 1, 2, 4, 7 and 15 and the nature of injuries sustained by the injured, and absence of criminal antecedents against these petitioners, I am inclined to release petitioners nos. 1, 2, 4, 7 and 15 on anticipatory bail and accordingly, this Court directs that in the event of arrest of the petitioners nos. 1, 2, 4, 7 and 15 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.

So far as petitioners nos. 3, 5, 6, 8, 9, 10, 11, 12, 13 and 14 are concerned in view of availability of criminal antecedents against them, while not inclining to grant anticipatory bail to them, it is observed that in the event they surrender in the learned Court below and move for bail, the learned Courts below shall dispose of the same in accordance with law expeditiously. The case records shall be made available to the Courts concerned for disposal of the bail application.

The ABLAPL is accordingly disposed of.

Issue urgent certified copy as per Rules.

(S.K. Sahoo)
Judge

PKSahoo