

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.2868 of 2022

1. Subhadra Behera
2. Ankura @ Shankara Bhoi
3. Nuria Bhoi @ Narendra Das **Petitioners**

Mr.P.K. Nayak, 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.

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 Salipur P.S. Case No.90 of 2022 corresponding to G.R. Case No.210 of 2022 pending before the learned J.M.F.C., Salipur for commission of alleged offences under sections 341, 294, 323, 325, 427, 435, 506, 307/34 of the Indian Penal Code.

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

Learned counsel for the State has produced the

case diary and on verification of the same submitted that there are three injured persons in the case, out of which Tilotama Mallick and Debasis Mallick have sustained grievous injuries and one Hrushikesh Mallick has sustained simple injuries. He placed the 161 Cr.P.C. statement of the injured Hrusikesh Mallick.

Considering the nature of accusation against the petitioner no. 2 Ankura @ Shankara Bhoi and petitioner no. 3 Nuria Bhoi @ Narendra Das, 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.

So far as petitioner no.1 Subhadra Behera is concerned, taking into account the nature of overt act attributed against her and she is a lady, keeping in view the proviso to section 437(1) of Cr.P.C., I am inclined to release petitioner no.1 on anticipatory bail and accordingly, this Court directs that in the event of arrest of the petitioner no.1 in connection with the aforesaid case, she 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 she shall make herself

available for interrogation by the I.O. as and when required and she 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