

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.2937 of 2021

1. Litu Rout

2. Batia Mohanty

....

Petitioners

Mr. P.R. Chhatoi, Advocate

-versus-

State of Odisha

....

Opp. Party

*Smt. Susamarani Sahoo,
Addl. Standing Counsel*

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

**ORDER
15.02.2022**

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 G.R. Case No.390 of 2020 arising out of Banki P.S. Case No.279 of 2020 pending in the Court of learned S.D.J.M., Banki for alleged commission of offences under sections 341/323/294/506/324/307/34 of the Indian Penal Code.

Perused the F.I.R.

Learned counsel for the State has produced the case diary and submitted that the injured has sustained injury on his scalp which has been opined to be grievous

in nature.

In view of the available materials on record against petitioner no.2 Batia Mohanty and the fact that the injury sustained by the injured is grievous in nature, I am not inclined to grant him anticipatory bail. Accordingly, his prayer for anticipatory bail stands rejected.

So far as petitioner no.1 Litu Rout is concerned, in absence of any specific overt act and the nature of accusation against him, I am inclined to release him on anticipatory bail. Accordingly, this Court directs that in the event of arrest of petitioner no.1 Litu Rout 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.

So far as petitioner no.2 Batia Mohanty is concerned, it is observed that in the event he surrenders in the Court below and moves for bail before the learned Court below within a period of four weeks from today, 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 ABLAPL is accordingly disposed of.

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

(S.K. Sahoo)
Judge

RKM

