

**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**ABLAPL No.2902 of 2022**

**1. Kirtan Majhi**  
**2. Tukuna Majhi**  
**3. Dwitikrishna Majhi** .... **Petitioners**

*Mr.A.K. Nath, Advocate*

*-versus-*

**State of Odisha** .... **Opp. Party**

*Mr.J.P.Patra,*  
*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 Chhendipada P.S. Case No.107 of 2022 corresponding to G.R. Case No.182 of 2022 pending before the learned J.M.F.C., Chhendipada for commission of alleged offences under sections 341, 294, 323, 325, 506/34 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 from which it appears that the injured is one Bikas Ranjan Sahoo and he has sustained fracture injury on his leg and the statement of one Bira Kishore Nath was placed by the learned counsel for the State from which specific overt act of assault on the injured has been attributed against petitioner no.2 Tukuna Majhi.

Considering the nature of accusation against the petitioner no. 2 Tukuna Majhi, while not inclining to grant anticipatory bail to him, it is observed that in the event he surrenders in the learned Court below and moves 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 Kirtan Majhi and petitioner no.3 Dwitikrishna Majhi are concerned, in absence of any specific overt act against them, I am inclined to release petitioner nos.1 and 3 on anticipatory bail and accordingly, this Court directs that in the event of arrest of the petitioner nos.1 and 3 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.

The ABLAPL is accordingly disposed of.

Issue urgent certified copy as per Rules.

**( S.K. Sahoo )**  
**Judge**



PKSahoo