

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.2946 of 2022

1. Shisira Kumar Jena
2. Akshaya Kumar Jena
3. Sanjaya Jena
4. Santosh Jena
5. Asit Kumar Jena
6. Rudra Narayan Jena
7. Nrusingha Bahira **Petitioners**

Mr.B.R. Dalai, Advocate

-versus-

State of Odisha

Opp. Party

*Mr.J.P. Patra,
Addl. Standing Counsel*

**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 Balikuda P.S. Case No.68 of 2022 corresponding to G.R. Case No.235 of 2022 pending before the learned S.D.J.M., Jagatsinghpur for commission of alleged offences under sections 294,

506, 324, 307, 109/34 of the Indian Penal Code.

Learned counsel for the petitioners submitted that the informant is the injured in this case and he has sustained no injury but presented the F.I.R. in an exaggerated manner.

Learned counsel for the State on instruction submitted that petitioner no.1 Shisira Kumar Jena has got one criminal antecedent and the case diary does not reveal any criminal antecedents against other petitioners.

In view of the available materials on record and considering the nature of accusation against petitioner no.1 Shisira Kumar Jena, while not inclining to grant anticipatory bail to him, it is observed that in the event petitioner no.1 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 petitioners nos.2 to 7 are concerned, taking into account the nature of accusation and absence of any material that the informant has sustained any injury, I am inclined to release them on anticipatory bail and accordingly, this Court directs that in the event of arrest of the petitioners nos.2 to 7 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.

