

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.3025 of 2022

**1. Dhruba Charan Jena @
Dhukudia**

**2. Himanshu Sekhar Jena
@ Dipuna**

3. Bikash Jena

.... Petitioners

Mr. G.K. Mohanty, Advocate

-versus-

State of Odisha

.... Opp. Party

*Mrs. Susamarani Sahoo,
Addl. Standing Counsel*

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

**ORDER
11.05.2022**

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 Aul P.S. Case No.71 of 2022 corresponding to G.R. Case No.134 of 2022 pending in the Court of learned J.M.F.C., Aul for alleged commission of offences under sections 341/323/294/324/325/379/307/506/34 of the Indian Penal Code.

Perused the first information report annexed to

the anticipatory bail application.

Learned counsel for the State produced the written instruction dated 10.05.2022 received from the Inspector in-charge of Aul police station to the effect that the petitioners are having no criminal antecedents. She further submitted that in this case, one Bijay Kumar Jena is the injured and he has sustained simple injuries. The written instruction and the injury report are taken on record.

Considering the submission made by the learned counsel for the petitioners that the ingredients of the offence under section 307 of the Indian Penal Code are not attracted and taking into account the nature of accusation against the petitioners, I am inclined to release the petitioners on anticipatory bail and accordingly, this Court directs that in the event of arrest of the petitioners 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 such facts to the Court

or to the Investigating Officer.

Violation of any of the above conditions shall entail cancellation of bail.

The ABLAPL is accordingly disposed of.

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

(S.K. Sahoo)
Judge

RKM

