

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

**ABLAPL No.3155 of 2022**

**1. Sameer Khilar**  
**2. Baburam Khilar**  
**3. Sudar @ Sudhir Khilar**  
**4. Bigneswar Khilar**  
**5. Ranjit Khilar**  
**6. Gokula Khilar** .... **Petitioners**

*Mr.P.R. Singh, Advocate*

*-versus-*

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

*Mr. D.K. Pani,*  
*Addl. Standing Counsel*  
*Mr. S.Harichandan, Advocate*  
*(for the informant)*

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

**ORDER**

**27.04.2022**

**Order No.**

01. 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 as well as learned counsel for the informant.

This is an application under section 438 Cr.P.C. for grant of anticipatory bail to the petitioners in connection with Kantabania P.S. Case No.32 of 2022 corresponding to G.R. Case No.362 of 2022 pending before the learned S.D.J.M., Dhenkanal for

commission of alleged offences under sections 452/294/323/326/336/307/354-B/427/506/34 of the Indian Penal Code.

Learned counsel for the petitioners submitted that specific overt act has been alleged against two persons, namely, petitioner no.1 Sameer Khilar and petitioner no.4 Bigneswar Khilar and it is stated that they have assaulted Girish Behera, the father of the informant Presh Behera. He has produced the injury report of the injured, which is taken on record.

Learned counsel for the State and learned counsel for the informant opposed the prayer for anticipatory bail.

Considering the nature of accusation against the petitioner no.1 Sameer Khilar and petitioner no.4 Bigneswar Khilar, 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.2 Baburam Khilar, petitioner no.3 Sudar @ Sudhir Khilar, petitioner no.5 Ranjit Khilar and petitioner no.6 Gokula Khilar are concerned, in absence of any specific overt act against them, I am inclined to release petitioner nos.2, 3, 5 and 6 on anticipatory bail and accordingly, this Court

directs that in the event of arrest of the petitioner nos.2, 3, 5 and 6 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