

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.3249 of 2022

1. Basudev Mohanty
2. Kanduru Mohanty
3. Uttam Mohanty
4. Subhakanta Mohanty @
Suvakanta Mohanty
5. Shishir Kumar Biswal @
Sisir Biswal
6. Harendra Biswal
7. Sarat Kumar Biswal
8. Pratap Chandra
Mohanty
9. Ranjit Mohanty
10. Ganeswar Sahu
11. Bhabani Sankar Sahu **Petitioners**

Mr. J.K. Majhi, Advocate

-versus-

State of Odisha **★ Opp. Party**

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

CORAM:
JUSTICE S.K. SAHOO

ORDER

05.05.2022

Order No.

01. This matter is taken up through Hybrid arrangement (video conferencing/physical mode).

Learned counsel for the State on instruction submitted that the notices contemplated under section 41A of Cr.P.C. have been served on the petitioners nos.1, 3, 5, 6 and 9, namely, Basudev Mohanty,

Uttam Mohanty, Shishir Kumar Biswal @ Sisir Biswal, Harendra Biswal and Ranjit Mohanty respectively and they have complied with the terms and conditions of the notices.

In view of such submission, since there is no apprehension of arrest of those petitioners in connection with the case, the anticipatory bail application so far as petitioners nos.1, 3, 5, 6 and 9 are concerned is disposed of.

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 C.T. Case No.143 of 2022 arising out of Remuna P.S. Case No.50 of 2022 pending in the Court of learned J.M.F.C.(R), Balasore for alleged commission of offences under sections 341/323/325/427/354/379/506/294/34 of the Indian Penal Code.

Perused the F.I.R.

Considering the submission made by the learned counsel for the State that the injured persons, namely, Dipak Pal and Antaryami Pal have sustained simple injuries and on hearing the learned counsel for the petitioners, who submitted that the offences are triable by Magistrate, I am inclined to release the rest of the petitioners on anticipatory bail and accordingly, this Court directs that in the event of arrest of the

petitioners nos.2, 4, 7, 8, 10 and 11, namely, Kanduru Mohanty, Subhakanta Mohanty @ Suvakanta Mohanty, Sarat Kumar Biswal, Pratap Chandra Mohanty, Ganeswar Sahu and Bhabani Sankar Sahu respectively 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