

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.3383 of 2022

- 1. Rabindra Dhal**
- 2. Raghunath Samal**
- 3. chakradhar Samal**
- 4. Tarakanta Behera**
- 5. Debadutta @ Debabrata Mallick**
- 6. Jyotiranjana Samal**
- 7. Prakash Puan**
- 8. Harekrushna Dhal**
- 9. Jyotikanta Dhal**
- 10. goutam Mallick**
- 11. Sumanta Behera**
- 12. Prakash Samal**
- 13. Prasanta Kumar Samal @ Prasanta Samal**
- 14. Surendra Rout**
- 15. Nrusingha Charan Samal @ Nrusingha Samal**
- 16. Nayana Samal**
- 17. Nirakar Sahoo**
- 18. Nirmal Samal**
- 19. Bhikari Samal**
- 20. Nilu Rout**

Petitioners

Mr.D. Sahoo, Advocate

-versus-

State of Odisha

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Opp. Party

*Mr. D.K. Pani,
Addl. Standing Counsel*

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

**ORDER
11.05.2022**

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 Aul P.S. Case No.92 of 2022 corresponding to G.R. Case No.157 of 2022 pending before the learned J.M.F.C., Aul for commission of alleged offences under sections 147/341/323/325/307/447/506/148/149 of the Indian Penal Code.

Learned counsel for the State on instruction submitted that the petitioner no.1 Rabindra Dhal has got two criminal antecedents.

In view of available materials on record particularly the criminal antecedents against the petitioner no.1 Rabindra Dhal, 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 Court concerned.

Learned counsel for the State on further instruction submitted that there are two injured persons in this case, namely, Akuli Chhatoi and Jitendra Samal and both of them have sustained

simple injuries.

Considering the nature of accusation against petitioners nos. 2 to 20 and the submission made by the learned counsel for the petitioners nos. 2 to 20 that there are no such materials against the petitioners so as to attract the ingredients of the offence under section 307 of the Indian Penal Code and the nature of accusation against them and the nature of injuries sustained by the injured persons and it is a case and counter case and the accusation against them are omnibus in nature, I am inclined to release them on anticipatory bail. Accordingly, this Court directs that in the event of arrest of the petitioners nos. 2 to 20 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

