

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No. 3460 of 2022

1. Jadunath Behera
2. Dinesh Kumar Behera
@ Dinesh Behera
3. Muna @ Satyajit Behera
4. Pabitra Kumar Behera
@ Pabitra Behera
5. Madana Behera
6. Manmohan Behera @
Danei Behera
7. Rakesh Behera @
Naresh
8. Sapneswar Behera
9. Anjana Behera
10. Chakradhar Behera @
Chakara
11. Sanatan Behera
12. Sunil Sahoo
13. Anil Sahoo
14. Debraj Sahoo @ Debu
15. Babuli @ Tanua Tarai
16. Bahuda Kumar Behera
@ Bahuda Behera
17. Milu Malik @ Milla
Malik
18. Basanta Tarai
19. Kousalya Tarai @
Koutuaka Tarai **Petitioners**

Mr. P.C. Moharana, Advocate

-versus-

State of Odisha **Opp. Party**

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

CORAM:

JUSTICE S.K. SAHOO

Order No.

ORDER
17.05.2022

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 Jenapur P.S. Case No.70 of 2022 corresponding to C.T. Case No.440 of 2022 pending in the Court of learned J.M.F.C., Chandikhole for alleged commission of offences under sections 143/147/148/307/506/149 of the Indian Penal Code.

Perused the first information report annexed to the anticipatory bail application.

Considering the submissions made by the learned counsel for the petitioners that it is a case and counter case and on account of political dispute between the parties during the last Gram Panchayat election, the case has been foisted and 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 on hearing the learned counsel for the State, who submitted that nobody was sent for medical examination on police requisition, 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.

सत्यमेव जयते

ORISSA

(S.K. Sahoo)
Judge

RKM