

IN THE HIGH COURT OF O3SSA AT CUTTACK

ABLAPL No.3639 of 2022

- 1. Santosh Kumar Swain**
- 2. Brundaban Swain**
- 3. Dhaneswar Swain**
- 4. Mahendra Biswal**
- 5. Kuna Swain**
- 6. Jagannath Mala**
- 7. Prasanta Swain**
- 8. Dinesh Swain**
- 9. Ranjan Swain**
- 10. Bhagirathi Jena**
- 11. Sumanta Swain**
- 12. Govinda Swain**
- 13. Sanjaya Swain**
- 14. Pratap Swain**
- 15. Pradip Swain**
- 16. Rakesh Kumar Swain**
- 17. Gadadhar Swain**
- 18. Rajesh Kumar Swain**
- 19. Sumanta Swain**
- 20. Suresh Swain**
- 21. Bapina Swain**
- 22. Prakash Swain**
- 23. Bichitra Swain**
- 24. Sritam Swain**

Petitioners

Mr.S.N. Mishra, Advocate

-versus-

State of Odisha

Opp. Party

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

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

**ORDER
19.05.2022**

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 G.R. Case No.461 of 2022 arising out of Penthakata Marine P.S. Case No.24 of 2022 pending in the Court of learned S.D.J.M., Puri for alleged commission of offences under sections 294/336/506/34 of the Indian Penal Code read with section 9B of the Explosive Act, 1884.

Perused the F.I.R.

Learned counsel for the State on instruction submitted that the petitioner no.1 Santosh Kumar Swain has got ten criminal antecedents.

In view of such criminal antecedents against petitioner no.1, while not inclining to grant anticipatory bail to him, it is observed that in the event the petitioner no.1 Santosh Kumar Swain surrenders in the Court below within a period of four weeks from today and moves for bail, the same shall be disposed of as expeditiously as possible by the Courts below in accordance with law. The case records shall be made available to the Court concerned at the time of adjudication of the bail application.

So far as petitioners nos.2 to 24 are concerned,

considering the submissions made by the learned counsel for the petitioners that the allegations are omnibus in nature and taking into account the background of the case and the nature of accusation against the petitioners nos.2 to 24, I am inclined to release them on anticipatory bail. Accordingly, this Court directs that in the event of arrest of petitioners nos.2 to 24, namely, Brundaban Swain, Dhaneswar Swain, Mahendra Biswal, Kuna Swain, Jagannath Mala, Prasanta Swain, Dinesh Swain, Ranjan Swain, Bhagirathi Jena, Sumanta Swain, Govinda Swain, Sanjaya Swain, Pratap Swain, Pradip Swain, Rakesh Kumar Swain, Gadadhar Swain, Rajesh Kumar Swain, Sumanta Swain, Suresh Swain, Bapina Swain, Prakash Swain, Bichitra Swain and Sritam Swain 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

RKM

