

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.3794 of 2022

1. Sunil Nayak
2. Abhimanyu Nayak
3. Chitaranjan Nayak
4. Nabaghana Nayak
5. Agani Nayak
6. Sudarsan Nayak
7. Kali Nayak **Petitioners**

Mr.G.N. Das, Advocate

State of Odisha **Opp. Party**

Mr.Arupananda Das,
Addl. Government Advocate

CORAM:

JUSTICE S.K. SAHOO

ORDER

21.06.2022

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.

This is an application under section 438 Cr.P.C. for grant of anticipatory bail to the petitioners in connection with Balipatna P.S. Case No.73 of 2022 corresponding to G.R. Case No. 299 of 2022 pending in the Court of learned J.M.F.C. (O), Bhubaneswar for commission of alleged offences under sections 341,

323, 324, 325, 354, 294, 427, 506/34 of the Indian Penal Code.

Perused the F.I.R. annexed to the anticipatory bail application.

Learned counsel for the petitioners submitted that some of the co-accused persons, who approached this Court for grant of anticipatory bail in ABLAPL No. 3612 of 2022 have already been directed to be released on anticipatory bail as per order dated 19.05.2022 and the main allegation of assault has been made against the co-accused persons, namely, Kalu Nayak and Chandrasen Nayak and therefore, the anticipatory bail application of the petitioners may be favourably considered.

Learned counsel for the State, on the other hand, opposed the prayer for anticipatory bail, but does not dispute that the main allegation of assault has been made against the aforesaid co-accused persons.

Considering the nature of accusation against the petitioners, the release of the co-accused persons on anticipatory bail and absence of any specific overt act alleged against the petitioners and more particularly, the fact that the offences are triable by Magistrate, 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 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