

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No. 4067 of 2021

- 1. Sanjay Kumar Das**
- 2. Sri Rajesh @ Rakesh Kumar Das**
- 3. Sri Prasanta @ Gulu Das**
- 4. Sri Pagala Das**
- 5. Sri Bapina Biswal**
- 6. Sri Jagat Jeeban Das @ Jagabandhu Das**
- 7. Smt. Manjulata Das**
- 8. Smt. Sukhalata @ Shantilata Das**
- 9. Sri Umakanta Das**
- 10. Sri Narahari Sahu**
- 11. Sri Shiva Das**

.... ***Petitioners***

Mr.J. Kamila, Advocate

-versus-

State of Odisha

.... ***Opp. Party***

Mr. J.P. Patra
Addl. Standing Counsel

CORAM:

JUSTICE S.K. SAHOO

ORDER

Order No.

23.03.2022

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

Heard learned counsel for the petitioners and

learned counsel for the State as well as learned counsel for the informant.

This is an application under section 438 of Cr.P.C. for grant of anticipatory bail to the petitioners in connection with Soro P.S. Case No.116 of 2021 corresponding to C.T. Case No.239 of 2021 pending in the court of learned J.M.F.C., Soro for alleged commission of offences under sections 341/323/325/379/307/506/34 of the Indian Penal Code.

Learned counsel for the State on verification of the case diary submitted that one Manmohan Das is the injured in this case and he has sustained two grievous injuries and the allegation of assault against the petitioners are in omnibus manner.

Learned counsel for the informant also opposed the prayer for bail.

Considering the submissions made by the learned counsel for the respective parties, the fact that the petitioner no.7 Smt. Manjulata Das and petitioner no.8 Smt. Sukhalata @ Shantilata Das are ladies, keeping in view the proviso to section 437(1) of Cr.P.C. and they have been granted interim protection as per the order dated 12.04.2021 and there are no materials that they have misutilized the terms and conditions of the interim order, the interim order dated 12.04.2021 is made absolute.

So far as other petitioners nos.1 to 6 and 9 to 11 are concerned, in view of the nature and gravity of the accusation against them, while not inclining to grant anticipatory bail to them, I direct that in the event they surrender and move for bail before the learned Court below within a period of four weeks from today, the same shall be disposed of as expeditiously as possible in accordance with law by the Courts below. The case records shall be made available to the Court concerned.

Accordingly, the ABLAPL stands disposed of.

The interim order dated 12.04.2021 so far as petitioner nos.1 to 6 and 9 to 11 are concerned, stands vacated.

Issue urgent certified copy as per Rules.

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ORISSA

(**S.K. Sahoo**)
Judge