

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.5152 of 2022

**1. Prasanta Patnayak @
Prasanta Kumar
Pattnayak**

2. Pitambar Jena

**3. Jagan Sahu @ Santosh
Kumar Sahu**

**4. Laxman Das @ Laxman
Kumar Das**

5. Pitambar Dalai

6. Jitendra Biswal

**7. Gudul Biswal @ Deepak
Biswal**

8. Bipini Biswal

9. Nityabanda Biswal

**10. Tapas Biswal @
Bikram Biswal**

11. Sarbeswar Biswal

12. Ajaya Barik



Petitioner

Mr. S. Swain, Advocate

-versus-

State of Odisha

Opp. Party

*Mrs. Susamarani Sahoo,
Addl. Standing Counsel*

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

**ORDER
05.08.2022**

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 Naikandihi P.S. Case No.52 of 2022 corresponding to G.R. Case No.189 of 2022 pending in the Court of learned J.M.F.C., Basudevpur, Bhadrak for alleged commission of offences under sections 294/323/324/307/354-B/379/506/34 of the Indian Penal Code.

Learned counsel for the petitioners submitted that earlier anticipatory bail application of the petitioners in ABLAPL No.2235 of 2022 was disposed of as withdrawn as per order dated 20.02.2022.

Learned counsel for the petitioners submitted that it is a case and counter case and there are four injured persons in this case and they have sustained simple injuries and the petitioners have no criminal antecedents and therefore, the anticipatory bail application of the petitioners may be favourably considered.

Learned counsel for the petitioners has filed some documents which are taken on record.

Learned counsel for the State opposed the prayer for anticipatory bail and placed the first information report.

Considering the submissions made by the

learned counsel for the respective parties and taking into account the nature of accusation against the petitioners and the nature of injuries sustained by the injured, 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.

(S.K. Sahoo)
Judge