

**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**ABLAPL No.6026 of 2022**

- 1. Samir Kumar Gouda**
- 2. Saroj Kumar Gouda**
- 3. Tapan Gouda**
- 4. Uma Sankar Yadav @  
Uma Sankar**
- 5. Lipun Gouda**
- 6. Mantu Gouda**
- 7. Gayashankar Yadav**
- 8. Rabindra Gouda**

.... **Petitioners**

*Mr.J. Samantaray, Advocate*

-versus-

**State of Odisha**

.... **Opp. Party**

*Mrs.Susamarani Sahoo,  
Addl. Standing Counsel  
Ms. Sangita Mohanty, Advocate  
for the informant*

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

**ORDER  
05.07.2022**

**Order No.**

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

Heard learned counsel for the petitioners, learned counsel for the informant 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.604 of 2022 arising out of Khallikote P.S. Case No.263 of 2022 pending in the Court of learned

J.M.F.C., Khallikote for alleged commission of offences under sections 143/341/294/323/326/307/379/506/149 of the Indian Penal Code.

Perused the F.I.R.

Learned counsel for the State on instruction submitted that the injured Krushna Chandra Gouda has sustained five injuries out of which four injuries have been opined to be simple in nature and one injury has been opined might be grievous in nature. Learned counsel for the State further placed the statement of the eye witness Krushna Dakua which indicates that the petitioner no.8 Rabindra Gouda assaulted the injured Krushna Chandra Gouda by means of a split wood.

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

Considering the submissions made by the learned counsel for the respective parties, the nature of accusation against the petitioner no.8, while not inclining to grant anticipatory bail to him, it is observed that in the event the petitioner no.8 Rabindra Gouda 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.

So far as petitioners nos.1 to 7 are concerned, in absence of any specific overt act against them and the background of the case and the nature of accusation against them, I am inclined to release them on anticipatory bail. Accordingly, this Court directs that in the

event of arrest of petitioner no.1 Samir Kumar Gouda, petitioner no.2 Saroj Kumar Gouda, petitioner no.3 Tapan Gouda, petitioner no.4 Uma Sankar Yadav @ Uma Sankar, petitioner no.5 Lipun Gouda, petitioner no.6 Mantu Gouda and petitioner no.7 Gayashankar Yadav 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