

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.6047 of 2022

1. Kishor Kumar Rout

2. Ratha Nayak

....

Petitioners

Mr. R.C. Maharana, Advocate

-versus-

State of Odisha

....

Opp. Party

*Mr. Rajesh Tripathy,
Addl. Standing Counsel*

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

**ORDER
22.06.2022**

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 Tirtol P.S. Case No.137 of 2022 corresponding to CrI. T. Case No. 52 of 2022 pending in the Court of learned Special Judge –cum- Sessions Judge, Jagatsinghpur for commission of alleged offences under sections 147/447/323/395/149/332/353 of the Indian Penal Code read with section 3(1)(r)/(s)(2)(va) of SC and ST (PoA) Act.

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

On verification of the case diary, learned counsel for the State submitted that during investigation, it was found out that the

ingredients of offences under section 395 of the Indian Penal Code so also under section 3(1)(r)/(s)(2)(va) of SC and ST (PoA) Act are not attracted against any of the accused persons.

Considering the submission made by the learned counsel for the petitioners that the case was instituted during last Gram Panchayat election on account of political dispute and no specific overt act has been alleged against any of the petitioners, taking into account the nature of accusation and on hearing the learned counsel for the State, 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