

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.6096 of 2022

1. Baladeba Rout
2. Bhiki Sahoo
3. Antaryami Sahoo
4. Rajesh Nanda
5. Balaram Sahani
6. Chandan Jena
7. Babuli Jena
8. Ajit Sahani **Petitioners**

Mr. D. Mohanty, Advocate

State of Odisha -versus- **Opp. Party**

Mrs. Susamarani Sahoo,
Addl. Standing Counsel
Mr. B.P. Das, Advocate for the
informant

CORAM:

JUSTICE S.K. SAHOO
ORDER

22.06.2022

Order No.

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

Mr. Bibhu Prasad Das, learned counsel and his associates files vakalatnama on behalf of the informant, which is accepted and taken on record.

Learned counsel for the State submitted that she has received the case diary which shows that petitioner no.3 Antaryami Sahoo and petitioner no.8 Ajit Sahani have been arrested and the arrest memos are available in the

case diary.

In view of such submission, this anticipatory bail application so far as petitioners nos.3 and 8 are concerned has become infructuous and stands disposed of.

Learned counsel for the petitioners on instruction submitted that the petitioner no.2 Bhiki Sahoo and petitioner no.4 Rajesh Nanda have been arrested.

In view of such submission, this anticipatory bail application so far as petitioners nos.2 and 4 are concerned has become infructuous and stands disposed of.

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 nos.1, 5, 6 and 7 in connection with C.T. Case No.786 of 2022 arising out of Jenapur P.S. Case No.131 of 2022 pending in the Court of learned J.M.F.C., Chandikhole for alleged commission of offences under sections 341/323/294/379/384/506/34 of the Indian Penal Code.

Perused the first information report annexed to the anticipatory bail application.

Mr. Das, learned counsel for the informant pointed out that the petitioners have filed another anticipatory bail application before this Court in the same case which is subjudiced in ABLAPL No.6670 of 2022. He further drew attention of this Court that another case under section 307 of the Indian Penal Code and other offences has been registered against the petitioners nos.1, 6 and 7 and in the said case, the injured has sustained grievous injuries.

He filed the copy of the first information report, which is taken on record.

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

Considering the submissions made by the learned counsel for the respective parties, the nature of accusation against the petitioners nos.1, 5, 6 and 7, while not inclining to grant anticipatory bail to them, it is observed that in the event the petitioners nos.1, 5, 6 and 7, namely, Baladeba Rout, Balaram Sahani, Chandan Jena and Babuli Jena respectively surrender in the Court below within a period of four weeks from today and move 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 for adjudication of the bail application.

The ABLAPL is accordingly disposed of.

This record be tagged to the file of ABLAPL No.6670 of 2022.

Urgent certified copy of this order be granted on proper application.

(S.K. Sahoo)
Judge

RKM