

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.6333 of 2022

- 1. Bhamarbara Bhoi**
- 2. Bhimsen Bhoi**
- 3. Paramananda Bhoi**
- 4. Nakula Bhoi**
- 5. Gokula Bhoi**
- 6. Dillip Kumar Sahoo**
- 7. Biswaranjan Swain**
- 8. Basanti Bhoi**
- 9. Ranjita Bhoi**
- 10. Ripu Jena**

.... **Petitioners**

Mr.D.K. Moharana, Advocate

-versus-

State of Odisha

.... **Opp. Party**

Mr.Rajesh Tripathy,
Addl. Standing Counsel

CORAM:
JUSTICE S.K. SAHOO

ORDER

29.06.2022

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 of Cr.P.C. for grant of anticipatory bail to the petitioners in connection with Cuttack Sadar P.S. Case No.219 of 2022 corresponding to G.R. Case No. 1257 of 2022

pending in the Court of learned J.M.F.C (R), Cuttack for alleged commission of offences under sections 427, 379, 506, 34 of the Indian Penal Code.

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

Learned counsel for the petitioners submitted that a minor girl of Bhoi Sahi had been to the Ashram but she was found missing and thereafter the villagers searched for her everywhere so also in the Ashram premises and the said minor girl was found in a senseless condition near the Ashram campus, for which there was agitation and F.I.R. was lodged. Just as a counter blast to the said case, the present case has been foisted three days after the alleged occurrence. Learned counsel further submitted that the offences are triable by Magistrate and in view of the background of the case, the bail application of the petitioners may be favourably considered.

Learned counsel for the State opposed the prayer for bail.

Considering the submissions of learned counsel for the respective parties, the nature of accusation against the petitioners, the background of the case and since the offences are triable by Magistrate, 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 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

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