

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.6692 of 2021

1. Rehmu @ Sk.Rahim @
Sk.Rahimuddin
2. Muna @ Sk. Muna @ Sk.
Anisuddin
3. Papun @ Sk. Aslas
4. Saruk @ Sk Saharukh
5. Golo @ Sk. Gal @
Sk.Golam
6. Bhoka @ Sk. Salim
7. Kala @ Maa @
Sk.Sakiruddin Khan
8. Rehmat @ Sk. Rahemat
9. Arif @ Sk. Arif
10. Juned Khan
11. Amir @ Atawar Rahman **Petitioners**

Mr.A.Bhoi, Advocate

-versus-

State of Odisha

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Opp. Party

*Mr.J.P. Patra,
Addl. Standing Counsel*

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

ORDER

21.04.2022

Order No.

03. 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 Sahadevkhunta P.S. Case No.153 of 2021

corresponding to C.T. Case No.402 of 2021 pending before the learned S.D.J.M., Balasore for commission of alleged offences under sections 452, 341, 323, 294, 324, 325, 307, 506, 427/34 of the Indian Penal Code and sections 25 and 27 of the Arms Act.

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

Learned counsel for the State on instruction submitted that petitioner no.6 Bhoka @ Sk. Salim is having one criminal antecedent, petitioner no.8 Rehmat @ Sk. Rahemat is having three criminal antecedents, petitioner no.9 Arif @ Sk. Arif is having two criminal antecedents and there is specific overt-act alleged against petitioner no.10 Juned Khan. He also produced the injury reports of four persons, namely, Rockey @ Rakesh Jena, Sanatan Paramanik, Pravakar Nayak and Biki @ Bikash Jena, which indicate that the injuries sustained by the injured persons are simple in nature. The copies of the injury reports filed by the learned counsel for the State are taken on record.

In view of availability of criminal antecedents against petitioner no.6 Bhoka @ Sk. Salim, petitioner no.8 Rehmat @ Sk. Rahemat, petitioner no.9 Arif @ Sk. Arif and specific overt act alleged against petitioner no.10 Juned Khan, while not inclining to grant anticipatory bail to them, it is observed that in the event they surrender in the learned Court below and move for bail, the learned Courts below shall dispose of the same in accordance with law expeditiously. The case records shall be made available to the Courts concerned for disposal of the bail

application.

So far as petitioner no.1 Rehmud @ Sk. Rahim @ Sk. Rahimuddin, petitioner no.2 Muna @ Sk. Muna @ Sk. Anisuddin, petitioner no.3 Papun @ Sk. Aslas, petitioner no.4 Saruk @ Sk Saharukh, petitioner no.5 Golo @ Sk. Gal @ Sk.Golam, petitioner no.7 Kala @ Maa @ Sk.Sakiruddin Khan, and petitioner no.11 Amir @ Atawar Rahman are concerned, taking into account the nature of accusation and absence of criminal antecedents against them, I am inclined to release petitioners nos.1, 2, 3, 4, 5, 7 and 11 on anticipatory bail and accordingly, this Court directs that in the event of arrest of the petitioner nos.1, 2, 3, 4, 5, 7 and 11 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

