

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.6571 of 2022

1. M. Maresh
2. M. Santosh Rao @ M. Santu
3. M. Chanti Rao @ M. Chanti
4. M. Nagaraju @ M. Naga Petitioners

Mr. S.P. Dash, Advocate

-versus-

State of Odisha Opp. Party

*Mr. Rajesh Tripathy,
Addl. Standing Counsel*

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

**ORDER
06.07.2022**

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 Cr.P.C. for grant of anticipatory bail to the petitioners in connection with G.R. Case No.684 of 2022 arising out of Cantonment P.S. Case No.77 of 2022 pending in the Court of learned S.D.J.M. (Sadar), Cuttack for alleged commission of offences under sections 294/323/326/34 of the Indian Penal Code.

Perused the F.I.R.

Learned counsel for the petitioners submitted that the main allegation is against co-accused A. Shiva and so far as the role of the petitioners are concerned, it is stated that they were present at the spot and abused the injured and therefore, the anticipatory bail application of the petitioners may be favourably considered.

Learned counsel for the State while not disputing the fact that the specific over act has been attributed against the co-accused A. Shiva, submitted that the injured has sustained head injury and there were nine stitches on his head.

Considering the submissions made by the learned counsel for the respective parties, the nature of accusation against the petitioners and since the main assault is attributed against the co-accused A. Shiva, 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 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