

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.6606 of 2022

1. Bhabesh Kumar Behera

2. Pramila Behera

....

Petitioners

Mr. S.K. Jena, 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 the 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 Nilgiri P.S. Case No. 156 of 2022 corresponding to C.T. Case No. 233 of 2022 pending in the Court of learned S.D.J.M., Nilgiri for the commission of the alleged offences punishable under sections 341, 323, 325, 294, 307, 506/34 of the Indian Penal Code.

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

Considering the submission made by the learned counsel for the petitioners that it is a case and counter case

and though the F.I.R. has been registered under section 307 of the Indian Penal Code but there are no such materials to attract the ingredients of such offence and on hearing the learned counsel for the State, who submitted that there are three injured persons in the case, out of which one Gadadhar Behera has sustained simple injuries and other two persons, namely, Kabita Behera and Benudhar Behera were sent for medical examination on police requisition, but it was found that they have sustained no external injuries, 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

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