

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.6685 of 2022

**1. Siba Palai
2. Sabitri Das
3. Namita Das**

.... Petitioners

Mr. K.K. Pahil, Advocate

-versus-

State of Odisha

.... Opp. Party

*Mr. Manoranjan Mishra,
Addl. Standing Counsel*

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

**ORDER
12.07.2022**

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 C.T. Case No.1274 of 2022 arising out of Mangalpur P.S. Case No.330 of 2022 pending in the Court of learned S.D.J.M., Jajpur for alleged commission of offences under sections 341/294/323/307/506/34 of the Indian Penal Code.

Perused the F.I.R.

Learned counsel for the petitioners submitted

that on account of civil dispute between the parties, the case has been foisted and the specific overt act of assault has been attributed against petitioner no.1 Siba Palai and petitioners nos.2 and 3 are ladies and therefore, the anticipatory bail application of the petitioners may be favourably considered.

Learned counsel for the State opposed the prayer for bail.

Considering the nature of accusation and specific overt act attributed against petitioner no.1, while not inclining to grant anticipatory bail to him, it is observed that in the event the petitioner no.1 Siba Palai surrenders 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.

So far as petitioners no.2 and 3, namely, Sabitri Das and Namita Das respectively are concerned, in absence of any specific overt act against them and they are ladies, keeping in view the proviso to section 437(1) Cr.P.C., I am inclined to release them on anticipatory bail. Accordingly, this Court directs that in the event of arrest of petitioner no.2 Sabitri Das and petitioner no.3 Namita Das 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