

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.6774 of 2022

**1. Manas Dixit
2. Dhobei Dixit**

.... Petitioners

Mr. P.K. Kundu, Advocate

-versus-

State of Odisha

.... Opp. Party

*Mr. Arupananda Das,
Addl. Government Advocate*

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

**ORDER
13.07.2022**

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.208 of 2022 arising out of Niali P.S. Case No.229 of 2022 pending in the Court of learned J.M.F.C., Niali for alleged commission of offences under sections 294/323/326/307/506/34 of the Indian Penal Code.

Perused the F.I.R.

Learned counsel for the State on instruction submitted that the specific overt act has been alleged

against petitioner no.1 to have assaulted the injured by means of a bhujali on his head.

In view of such submission, while not inclining to release the petitioner no.1 on anticipatory bail, it is observed that in the event the petitioner no.1 Manas Dixit surrenders in the Court below within a period of four weeks from today and moves 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 petitioner no.2 Dhobei Dixit is concerned, in absence of any specific overt act against him and taking into account his old age, I am inclined to release him on anticipatory bail. Accordingly, this Court directs that in the event of arrest of petitioner no.2 Dhobei Dixit in connection with the aforesaid case, he shall be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties each for the like amount to the satisfaction of the arresting officer with further conditions that he shall make himself available for interrogation by the I.O. as and when required and he 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

