

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.6778 of 2022

1. Subala Naik
2. Sudhansu Naik
3. Aparna Naik @ Aparti Naik
4. Brushab Naik
5. Kastu Naik
6. Sanatan Naik
7. Tankadhar Naik
8. Gandharba Naik **Petitioners**

Mr. S.K. Rout, Advocate

-versus-

State of Odisha

.... **Opp. Party**

*Mr. Rajesh Tripathy,
Addl. Standing Counsel*

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

ORDER

13.07.2022

Order No.

01. This matter is taken up through Hybrid arrangement (video conferencing/physical mode).

Learned counsel for the petitioners submitted that the petitioner no.1 Subala Naik, petitioner no.3 Aparna Naik @ Aparti Naik, petitioner no.4 Brushab Naik, petitioner no.7 Tankadhar Naik and petitioner no.8 Gandharba Naik have been arrested.

In view of such submission, this anticipatory bail application so far as petitioners nos.1, 3, 4, 7 and 8

are concerned has become infructuous and stands disposed of.

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 nos.2, 5 and 6 in connection with G.R. Case No.83 of 2022 arising out of Parjanga P.S. Case No.88 of 2022 pending in the Court of learned J.M.F.C., Parjanga for alleged commission of offences under sections 294/341/323/324/307/354/506/34 of the Indian Penal Code.

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

Learned counsel for the petitioners submitted that the specific overt act has been attributed against petitioner no.4, who has already been released on bail and therefore, the anticipatory bail application of the petitioners nos.2, 5 and 6 may be favourably considered.

Learned counsel for the State after verification of the case record does not dispute that the specific overt act has been alleged against petitioner no.4.

Considering the submissions made by the learned counsel for the respective parties, the nature of accusation against the petitioners nos.2, 5 and 6 and release of the co-accused on bail, I am inclined to

release the petitioners nos.2, 5 and 6 on anticipatory bail and accordingly, this Court directs that in the event of arrest of the petitioners nos.2, 5 and 6, namely, Sudhansu Naik, Kastu Naik and Sanatan Naik respectively 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