

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.6833 of 2022

**1. Manju @ Manjulata
Behera**

2. Laxman Pradhan

**3. Satyabhama Pradhan @
Meghi**

4. Khati Pradhan

5. Manjulata Pradhan

6. Akura Pradhan

7. Nakula Pradhan

8. Ranju Swain

9. Ranjit Kumar Swain **Petitioners**

Mr. J. Sahoo, 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).

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.864 of 2022 arising out of Bolagarh P.S. Case No.140 of 2022 pending in the Court of learned

S.D.J.M., Khurda for alleged commission of offences under sections 341/294/354/323/307/506/34 of the Indian Penal Code.

Perused the F.I.R.

Learned counsel for the petitioners submitted that it is a case and counter case and there is inordinate delay in lodging the first information report and therefore, the anticipatory bail application of the petitioners may be favourably considered.

Learned counsel for the State, on the other hand, submitted that there is specific overt act of assault against petitioner no.6 Akura Pradhan and petitioner no.7 Nakula Pradhan.

Considering the submissions made by the learned counsel for the respective parties, in view of the specific overt act against the petitioners nos.6 and 7, while not inclining to release them on anticipatory bail, it is observed that in the event the petitioner no.6 Akura Pradhan and petitioner no.7 Nakula Pradhan surrender 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 nos.1 to 5 and 8 and 9 are concerned, in absence of any specific overt act against them and taking into account the nature of accusation against them, I am inclined to release them on anticipatory bail. Accordingly, this Court directs that in the

event of arrest of petitioner no.1 Manju @ Manjulata Behera, petitioner no.2 Laxman Pradhan, petitioner no.3 Satyabhama Pradhan @ Meghi, petitioner no.4 Khati Pradhan, petitioner no.5 Manjulata Pradhan, petitioner no.8 Ranju Swain and petitioner no.9 Ranjit Kumar Swain 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