

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.12384 of 2022

Bishnukesh Dishiri and others ***Petitioners***
Mr. G. Sahu, Advocate

-versus-

State of Odisha ***Opp. Party***
Mr. S. Patra, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

27.09.2022

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual/Physical Mode).
2. Heard learned counsel for the petitioners and learned Additional Standing Counsel for the State.
3. 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.249 of 2022 arising out of Gaisilat P.S. Case No.57 of 2022 pending in the Court of learned S.D.J.M., Padampur for alleged commission of offences under sections 143/147/148/341/323/427/307/325/395/149 of the Indian Penal Code.
4. Perused the F.I.R.
5. Learned counsel for the petitioners submitted that the occurrence took place was aftermath of an accident in which a college going girl died and there was agitation and road blockage and the accusations are omnibus in nature and the ingredients of the offence under section 395 of the Indian Penal Code are not attracted and therefore, the anticipatory bail application of the petitioners may

be favourably considered. It is further submitted that some of the co-accused persons have already been released on bail by this Court in ABLAPL No.3213 of 2022 vide order dated 05.05.2022.

6. Learned counsel for the State opposed the prayer for anticipatory bail.

7. Considering the submissions made by the learned counsel for the respective parties, the nature of accusation against the petitioners and absence of any specific overt act against the petitioners, 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 such facts to the Court or to the Investigating Officer.

Violation of any of the above conditions shall entail cancellation of bail.

10. Accordingly, the ABLAPL is disposed of.

Urgent certified copy of this order be granted on proper application.

(A.K. Mohapatra)
Judge