

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.15515 of 2021

1. Surendra Behera
2. Janakasuta Behera
3. Raja Behera
4. Apeswari Behera
5. Manashi Behera **Petitioners**
6. Durpati Behera

Mr.S.Panda, Advocate

-versus-

State of Odisha **Opp. Party**

Mr.D.K. Pani,
Addl. Standing Counsel

CORAM:
JUSTICE S.K. SAHOO

ORDER
04.01.2022

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 Boudh P.S. Case No.264 of 2021 corresponding to C.T. Case No.467 of 2021 pending in the Court of learned Special Judge, Boudh for alleged commission of offences under sections 147, 148, 452, 294, 506, 323, 324, 325, 326, 307/149 of

the Indian Penal Code and sections 3(1)(r)(s) and 3(1)(w)(ii)/ 3(2)(va) of the S.C. & S.T. (POA) Act.

Learned counsel for the petitioners submitted that petitioner nos.2, 4, 5 and 6 are ladies and omnibus allegations have been made against the petitioners and therefore, the anticipatory bail application may be favourably considered.

Learned counsel for the State on verification of the case diary submits that there are three injured persons in this case out of which two injured persons, namely, Pradip Kumar Sethi and Chahati Sethi have sustained grievous injuries and the statement of the injured Chahati Sethi indicates that the main allegation of assault is against Babula Behera, Swadhin Behera, Baikuntha Behera, Dusmant Behera and Antaryami Behera.

Perused the F.I.R. annexed to the anticipatory bail application.

Considering the submission of the learned counsel for the respective parties, the background of the case, the nature of accusation against the petitioners and petitioner nos. 2, 4, 5 and 6 are ladies, 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 any facts to the Courts or to the Investigating Officer.

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

The ABLAPL is accordingly disposed of.

Issue urgent certified copy as per Rules.

(S.K. Sahoo)
Judge

PKSahoo

