

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.15531 of 2021

1. Jitu @ Jyoti Ranjan

Behera

2. Rajkishore Behera

3. Sangita Priyadarshini

Behera @ Maharana @ Petitioners

Juli

Mr. Arijeet Mishra, Advocate

-versus-

State of Odisha

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Opp. Party

Mr.D.K. Pani,
Addl. Standing Counsel
Mr. Debasish Sahoo, Advocate
for the informant

**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, learned counsel for the informant 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 Nikirei P.S. Case No.207 of 2021 corresponding to G.R. Case No.2549 of 2021 pending in the Court of learned S.D.J.M., Kendrapara for

alleged commission of offences under sections 376(2)(n)/417/307/407/506/323/294/34 of the Indian Penal Code.

Perused the FIR.

Learned counsel for the petitioners submitted that petitioner no.1 is the brother, petitioner no.2 is the father and petitioner no.3 is the sister-in-law being the brother's wife of the main accused, namely, Kirti Ranjan Behera, who is now in judicial custody and the accusation against the petitioners may at best make out offences under sections 506/323/294 of the Indian Penal Code, which are triable by Magistrate and therefore, the anticipatory bail application of the petitioners may be favourably considered.

Learned counsel for the State has produced the case diary and placed the injury report of the victim, which indicates that she has sustained five bruises but all the injuries are simple in nature.

Learned counsel for the informant also opposed the prayer for anticipatory bail and placed the first information report.

Considering the submissions made by the respective parties, the nature of overt act against the petitioners and since the main accused has already been taken into custody, 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 anticipatory bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) each with one surety 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 and with further conditions that they shall not try to keep any contact with the victim or her family members and they shall not try to tamper with the prosecution evidence.

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