

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.15538 of 2021

1. Rabindra Barik
2. Kati Dalei
3. Somanath Sahu
4. Sukanta Barik
5. Bijay Kumar Patra
6. Tapan Kumar Sahu **Petitioners**

Mr. H.K. Mohanta, Advocate

-versus-

State of Odisha **Opp. Party**

Mr. Arupananda Das,
Addl. Govt. Advocate

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 Baisinga P.S. Case No.158 of 2021 corresponding to C.T. Case No.434 of 2021 pending in the Court of learned J.M.F.C., Betnoti for alleged commission of offences under sections 143/332/353/186/294/341/342/506 of the Indian

Penal Code read with section 7 of the Criminal Law (Amendment) Act, 1982.

Perused the FIR.

Learned counsel for the petitioners submitted that the dispute arose as one Binay Kumar Das distributed substandard rice to the villagers under Jugal Grama Panchayat under Antardaya Yojana and in spite of repeated complaints to the B.D.O., Betnoti and other higher authorities, there was no response for which the occurrence stated to have taken place and the offences are triable by Magistrate and therefore, the anticipatory bail application of the petitioners may be favourably considered.

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

Considering the submissions made by the respective parties, the nature of accusation against the petitioners, the background of the case and since the offences are triable by Magistrate, 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.

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.

RKM

