

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.15635 of 2021

1. Sangram Dalei **Petitioners**
2. Ranjan Guru

Mr. J. Behera, *Advocate*

-versus-

State of Odisha **Opp. Party**

Mr. J.P. Patra,
Addl. Standing Counsel

CORAM:

JUSTICE S.K. SAHOO

ORDER

04.01.2022

Order No.

02.

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 of Cr.P.C. for grant of anticipatory bail to the petitioners in connection with Khandapada P.S. Case No.228 of 2020 corresponding to Spl. G.R. Case No. 87 of 2020 pending in the Court of learned Addl. Sessions Judge – cum- Special Judge, POCSO Act, Nayagarh for alleged commission of offences under sections 363/366/376(2)(n)(3)/34 of the Indian Penal Code.

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

bail application.

Learned counsel for the petitioners submits that the main allegation is against co-accused Susant Behera who has already been released on bail by this Court in BLAPL No.1253 of 2021 as per order dated 19.07.2021. He further submitted that petitioner no.1 is the brother-in-law of the main accused and petitioner no.2 is the landlord where the main accused and the victim stayed for some days and there are no such accusation against the petitioners to make out the offences alleged in the case and therefore, the anticipatory bail application of the petitioners may be favourable considered.

Learned counsel for the State opposed the prayer for anticipatory bail and placed the statement of the victim.

Considering the submissions of learned counsel for the respective parties, the nature of accusation against the petitioners and release of the co-accused on bail, 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) 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 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



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