

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.15698 of 2021

1. Rabi Narayan Jena

2. Prasant Jena

....

Petitioners

Mr.M.K. Mallick, Advocate

-versus-

State of Odisha

....

Opp. Party

Mr. Arupananda Das,

Addl. Government Advocate

**CORAM:
JUSTICE S.K. SAHOO**

**ORDER
05.01.2022**

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 Kendrapara P.S. Case No.201 of 2021 corresponding to G.R. Case No.2457 of 2021 pending in the Court of learned S.D.J.M., Kendrapara for alleged commission of offences under sections 341/323/294/365/387/467/468/420/506/34 of the Indian Penal Code read with section 25(1-B)(a) of the Arms Act.

Perused the FIR.

Learned counsel for the petitioners submitted that the case arises out of a complaint petition and it is a case and counter case and he filed the counter case F.I.R., which was instituted basing on the complaint petition filed by petitioner no.1 Rabi Narayan Jena against the informant of the present case, namely, Purusottam Sahoo and therefore, the anticipatory bail application of the petitioners may be favourably considered. The copy of the F.I.R. is taken on record.

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 the fact that 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 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.

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

(S.K. Sahoo)
Judge

RKM

