

**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**ABLAPL No.15784 of 2021**

**1. Manguli Behera**  
**2. Kari Behera**  
**3. Yudhistir Behera**  
**4. China Behera**  
**5. Nagin Behera**  
**6. Pabitra Behera** .... **Petitioners**

Mr. L.N. Rayatsingh, Advocate

-versus-

**State of Odisha** .... **Opp. Party**

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

**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 Arkhakuda Marine P.S. Case No.27 of 2021 corresponding to Special G.R. Case No.79 of 2021 pending in the Court of learned Special Judge under POCSO Act, Puri for alleged commission of offences under sections 341/323/354-A/354-B/294/

506/34 of the Indian Penal Code read with section 8 of the POCSO Act.

Learned counsel for the petitioners submitted that it is a case and counter case and the main allegation is against co-accused Subash Behera and the petitioners have been falsely entangled in the case as they are the family members of the said co-accused Subash Behera and therefore, the anticipatory bail application of the petitioners may be favourably considered.

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

Perused the first information reports annexed to the anticipatory bail application.

Considering the submissions made by the respective parties, the nature of accusation against the petitioners and since the main allegation is against co-accused Subash Behera, 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