

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.15861 of 2021

1. Govind Chandra Barik
2. Basanti Dei @ Barik **Petitioners**

Mr.A.K.Mohanty, Advocate

-versus-

State of Odisha **Opp. Party**

Mr.A.K. Beura,
Addl. Standing Counsel

CORAM:
JUSTICE S.K. SAHOO

ORDER
21.04.2022

Order No.

02.

This matter is taken up through Hybrid arrangement (video conferencing/physical mode).

Heard the 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 Lingaraj P.S. Case No. 318 of 2021 corresponding to C.T. Case No.6601 of 2021 pending in the Court of learned S.D.J.M., Bhubaneswar for the commission of the alleged offences punishable under sections 448/323/354-A/354-B/307/34 of the Indian Penal Code.

Learned counsel for the State was asked to produce the injury report and the case diary on the last date since it is a case under section 307 of the Indian Penal Code.

Today, learned counsel for the State submitted that the prosecution case is that the informant's daughter, namely, Esani Priyadarshini Das is stated to be injured in this case, but when the

Investigating Officer contacted the daughter of the informant, she stated that she would produce the injury report in Court during trial. He further submitted that there is one criminal antecedent relating to other offences of the same police station against the petitioners.

Considering the submissions made by the learned counsel for the respective parties, the age of the petitioner no.1, who is stated to be seventy four years and petitioner no.2 is a lady and keeping in view the proviso to section 437(1) of Cr.P.C. 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) 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.

Issue urgent certified copy as per Rules.

The ABLAPL stands disposed of.

Issue urgent certified copy as per Rules.

(S.K. Sahoo)
Judge