

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.15875 of 2021

**1. Birendra @ Birendra
Kumar Swain**

**2. Ajaya @ Ajaya Kumar
Swain**

**3. Nihit @ Nihit Kumar
Swain**

4. Nisit @ Nisit Kumar Swain **Petitioners**

Mr. B.R. Sahu, Advocate

State of Odisha -versus- **Opp. Party**

Smt. Susamarani Sahoo,
Addl. Standing Counsel

CORAM:

JUSTICE S.K. SAHOO

ORDER

11.01.2022

Order No.

01. This matter is taken up by video conferencing 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 G.R. Case No.2821 of 2021 arising out of Cuttack Sadar P.S. Case No.653 of 2021 pending in the Court of learned J.M.F.C. (Rural), Cuttack for alleged commission of offences under sections

354/323/506/34 of the Indian Penal Code.

Perused the F.I.R.

Considering the submission made by the learned counsel for the petitioners that it is a case and counter case and there are no such accusations against the petitioners so as to attract the ingredients of the offence under section 354 of the Indian Penal Code and the offences are triable by Magistrate and on hearing the learned counsel for the State, 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 such facts to the Court or to the Investigating Officer.

Violation of any of the above conditions shall entail cancellation of bail.

The ABLAPL is accordingly disposed of.

Parties may utilize the soft copy of this order

available in the High Court's website or print out thereof at par with certified copy in the manner prescribed vide Office Order dated 7th January 2022.

(S.K. Sahoo)
Judge

RKM

