

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

**ABLAPL No.15883 of 2021**

**1. Sanjay Patra @ Sanjay**

**Kumar Das**

**2. Nitya @ Nityananda**

**Dehury**

**3. Ghasinath Penthei**

**4. Dama Penthei**

**5. Hiranya Penthei**

**6. Bhikari Penthei**

**.... Petitioners**

Mr. B.K. Pardhi, Advocate

*-versus-*

**State of Odisha**

**....**

**Opp. Party**

Mr. D.K. Pani

Addl. Standing Counsel

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

**ORDER**

**06.04.2022**

**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 Cr.P.C. for grant of anticipatory bail to the petitioners in connection with Keonjhar Sadar P.S. Case No.405 of 2021 corresponding to G.R. Case No.1626 of 2021 pending before the learned S.D.J.M., Keonjhar for commission of alleged offences under sections 341,

323, 294, 379, 307, 34 of the Indian Penal Code.

Learned counsel for the petitioner submitted that petitioner no.3 Ghasinath Penthei has already been arrested and therefore, the anticipatory bail application of petitioner no.3 has become infrutuous.

Learned counsel for the petitioners fairly submitted that the petitioner no.2 Nitya @ Nityananda Dehury has got two criminal antecedents.

In view of the criminal antecedent against petitioner no.2, Nitya @ Nityananda Dehury, while not inclining to grant anticipatory bail to petitioner no.2, it is observed that in the event petitioner no.2 surrenders in the learned Court below and moves for bail, the learned Courts below shall dispose of the same in accordance with law expeditiously. The case records shall be made available to the Courts concerned for disposal of the bail application.

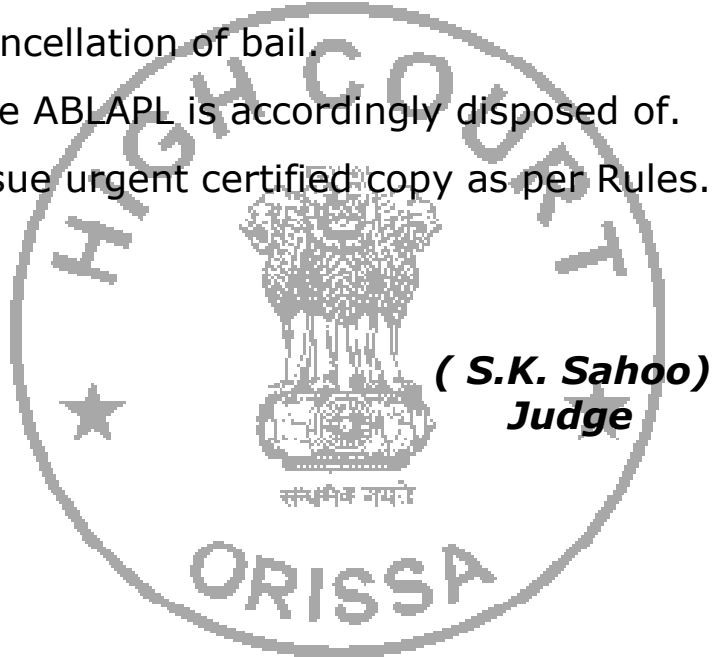
So far as petitioners nos.1 Sanjay Patra @ Sanjay Kumar Das, petitioner no.4 Dama Penthei, petitioner no.5 Hiranya Penthei and petitioner no.6 Bhikari Penthei, are concerned, taking into account the nature of accusation and absence of criminal antecedents against them, I am inclined to release them on anticipatory bail and accordingly, this Court directs that in the event of arrest of the petitioners nos.1, 4, 5 and 6 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.



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