

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.15958 of 2021

**1. Vicky Behera @
Suvendu Kumar Behera**

**2. Rajesh Behera @
Rajendra Behera**

.... Petitioners

Mr. P.S. Nayak, Advocate

-versus-

State of Odisha

.... Opp. Party

*Mr. S.S. Pradhan,
Addl. Government Advocate
Mr. A. Dash, Advocate for the
informant*

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

**ORDER
08.03.2022**

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.

None appears on behalf of the informant.

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.693 of 2021 arising out of Kamakhyanagar P.S. Case No.416 of 2021 pending in the Court of learned S.D.J.M., Kamakhyanagar for alleged commission of offence under section 307/34 of the Indian Penal Code.

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

Learned counsel for the State on instruction submitted that two of the injured persons, namely, Ajay Muduli and Abhilash Mohanty though sustained lacerated wound on the scalp but the same has been opined to be simple in nature.

Considering the submissions made by the learned counsel for the petitioners that there are no such materials against the petitioners so as to attract the ingredients of the offence under section 307 of the Indian Penal Code and further taking into account the nature of accusation against the petitioners 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.

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

(S.K. Sahoo)
Judge

RKM

