

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No. 16086 of 2021

**1. Soumya Ranjan
Samantaray
2. Swarnmayee
Dassamantaray
3. Asish Behera
4. Bhubaneswari Behera**

.... Petitioners

Mr.M.K. Mallick, Advocate

-versus-

State of Odisha

.... Opp. Party

*Mr. A. Das,
Addl. Government Advocate*

CORAM:

JUSTICE S.K. SAHOO

ORDER

Order No.

18.01.2022

01. This matter is taken up through Video Conferencing Mode.

Heard 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 Malgodown P.S. Case No.246 of 2021 corresponding to G.R. Case No. 1543 of 2021 pending in the Court of learned J.M.F.C (City), Cuttack for

alleged commission of offences under sections 294/323/354/506/34 of the Indian Penal Code.

Perused the F.I.R. annexed to the anticipatory bail application.

Learned counsel for the petitioners submitted that at the instance of petitioner no.2 Swarnmayee Dassamantaray, Malgodown P.S. Case No.245 dated 21.11.2021 was instituted against the informant Bijaya Kumar Das and others and as a counter blast to the said case, the present F.I.R. under Annexure-1 has been instituted against the petitioner. It is further submitted that the offences are triable by Magistrate and therefore, the bail application of the petitioners may be favourably considered.

Learned counsel for the State opposed the prayer for bail.

Considering the submissions of learned counsel for the respective parties, the nature of accusation against the petitioners, the background of the case and since the offences are triable by Magistrate, 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 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.

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