

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 11011 of 2021

Sanju Nayak and others

.... Petitioners

Mr. A. S. Paul, Advocate

-versus-

State of Odisha

.... Opp. Party

Mr. P.K. Maharaj,
Additional Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER
03.01.2022

Order No.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioners and learned Additional Standing Counsel for the State.
3. The petitioners are in custody since 13.11.2021 in connection with Khurda Model P.S. Case No. 325 of 2020 corresponding to G.R. Case No. 1067 of 2020 of the court of learned S.D.J.M., Khurda for the alleged commission of offences under Sections 147/148/294/323/307/506/149 of IPC.
4. The prosecution allegation is that on the date of occurrence while the informant was taking bath in the village pond, the petitioner no.1 threw water on her, leading to a quarrel between them. In course of quarrel, the petitioner nos. 1 and 2 along with the other petitioners came and abused and assaulted the informant causing injuries and also on persons who had came there to help the informant.
5. It is submitted by learned counsel for the petitioners that the matter has arisen out of a petty quarrel between two groups

of villagers in which there was a scuffle, due to which certain injuries have been caused. However, FIR is lodged by exaggerating the allegations only to entangle the petitioners in a criminal case.

6. Learned Additional Standing Counsel for the State, on the other hand, has opposed the prayer for bail by submitting that there is clear evidence of commission of the alleged offences and therefore no leniency should be shown to the petitioners.

7. Having considered the rival submissions, the materials on record, the period of detention already undergone and the fact that the matter has arisen out of a petty quarrel between two groups of villagers, I am inclined to allow the prayer for bail. Let the petitioners be released on bail on such terms and conditions as the court in seisin of the matter may deem fit and proper.

8. The BLAPL is accordingly disposed of.

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

(Sashikanta Mishra)
Judge