

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.16141 of 2021

1. Mihir Ranjan Behera **Petitioners**
2. Satyabhama Behera
3. Suchitra Behera
4. Santosh Kumar Behera

Mr. A.K. Tarai, Advocate

-versus-

State of Odisha **Opp. Party**

Mr. J.P. Patra,
Addl. Standing Counsel

CORAM:

JUSTICE S.K. SAHOO

ORDER

19.01.2022

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.2619 of 2021 arising out of Marshaghai P.S. Case No.458 of 2021 pending in the Court of learned S.D.J.M., Kendrapara for alleged commission of offences under sections 341/323/294/354/307/34 of the Indian Penal Code.

Perused the F.I.R.

In view of the nature of accusation against the petitioner no.1 Mihir Ranjan Behera that he assaulted the informant on his head for which the informant has sustained injury and has been treated in S.C.B. Medical College and Hospital, Cuttack, I am not inclined to grant him anticipatory bail. Accordingly, his prayer for anticipatory bail stands rejected.

So far as petitioner nos.2, 3 and 4 are concerned, considering the submission made by the learned counsel for the petitioners that the petitioner nos.2 and 3 are ladies and 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 on hearing the learned counsel for the State, who placed the injury report, I am inclined to release them on anticipatory bail. Accordingly, this Court directs that in the event of arrest of petitioner no.2 Satyabhama Behera, petitioner no.3 Suchitra Behera and petitioner no.4 Santosh Kumar Behera 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.

So far as petitioner no.1 Mihir Ranjan Behera is concerned, it is observed that in the event he surrenders in the Court below and moves for bail before the learned Court below within a period of four weeks from today, the same shall be disposed of as expeditiously as possible by the Courts below in accordance with law. The case records shall be made available to the Court concerned.

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