

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No. 16269 of 2021

- 1. Manasi Behera**
- 2. Banita Behera**
- 3. Anjali Behera**
- 4. Kalpana Behera**
- 5. Amuli Behera @ Tuli Behera**
- 6. Nilamani Behera**
- 7. Binod Behera**
- 8. Manguli Behera**
- 9. Prahallad Behera**
- 10. Ganesh Behera**

Petitioners

Mr. A.K. Das, Advocate

-versus-

State of Odisha

Opp. Party

Mr.D.K. Pani,
Addl. Standing Counsel

CORAM:

JUSTICE S.K. SAHOO

ORDER

Order No.

20.01.2022

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

Heard the 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 Gania P.S. Case No.83 of 2021 corresponding to G.R. Case No. 346 of 2021 pending in the Court of learned J.M.F.C., Daspala for alleged commission of offences under sections 147/148/341/323/324/326/506/307/149 of the Indian Penal Code.

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

Considering the submission made by the learned counsel for the petitioners that it is a case and counter case and there are no such materials to attract the ingredients of the offence under section 307 of the Indian Penal Code and out of the injured persons, so far as the allegation of assault of two injured persons Dula Behera and Nilamani Behera by petitioner no.7 Binod Behera and petitioner no.9 Prahallad Behera are concerned, they have sustained simple injuries and further submission that petitioner nos.1 to 5 are ladies and after hearing the learned counsel for the State who placed the injury reports of Dula Behera and Nilamani Behera, 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.

(S.K. Sahoo)
Judge

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