

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No. 16276 of 2021

**1. Adikanda Nayak
2. Bishwanath Barik**

.... Petitioners

Mr. B.R. Swain, Advocate

-versus-

State of Odisha

.... Opp. Party

Mr.A.K. Beura,
Addl. Standing Counsel

CORAM:

JUSTICE S.K. SAHOO

ORDER

20.01.2022

Order No.

01. This matter is taken up by video conferencing mode.

Heard the learned counsel for the petitioners, learned counsel for the informant 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 Naikanidhi P.S. Case No.256 of 2021 corresponding to G.R. Case No. 805 of 2021 pending in the Court of learned J.M.F.C., Basudevpur for alleged commission of offences under sections 294/341/323/324/506/34 of the Indian Penal Code.

In view of the nature and gravity of the accusation against petitioner no.1 and the injured has sustained grievous injuries, while not inclining to grant anticipatory bail to the petitioner no.1, I direct that in the event petitioner no.1 surrenders and moves for bail before the learned Court below within a period of four weeks, the same shall be disposed of as expeditiously as possible in accordance with law by the Courts below. The case records shall be made available to the Court concerned.

So far as petitioner no.2 Bishwanath Barik is concerned, considering the submission made by the learned counsel for the petitioners and the State, the nature of accusation against him, I am inclined to release him on anticipatory bail and accordingly, this Court directs that in the event of arrest of the petitioner no.2 in connection with the aforesaid case, he shall be released on bail on furnishing bail bond of Rs.10,000/-(Rupees ten thousand) with two sureties each for the like amount to the satisfaction of the arresting officer with further conditions that he shall make himself available for interrogation by the I.O. as and when required and he 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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