

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No. 16283 of 2021

- 1. Jididiya Beero @ Raja Beero**
- 2. Eson Karada**
- 3. Jayanta Beero**

.... **Petitioners**

Mr. R.N. Panda, 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 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 R. Udayagiri P.S. Case No. 58 of 2021 corresponding to G.R. Case No. 66 of 2021 pending in the Court of learned Special Judge -cum- Sessions Judge, Gajapati for alleged commission of offences under sections 147/148/323/324/307/186/

353/332/294/342/506/269/270/149 of the Indian Penal Code and 51(b) of Disaster Management Act, 2005 and section 3(1) of Epidemic Diseases Act, 1897 read with section 3(1)(r)/3(2)(va) of the SC & ST (POA) Act and 3 of PDPP Act.

Considering the submissions made by the learned counsel for the petitioners that the allegation against the petitioners is that they violated COVID-19 guidelines by congregating in a marriage ceremony and further submission that the ingredients of the offence under section 3 of the S.C. and S.T. (POA) Act is not made out and therefore, section 18 of the said Act is not a bar in entertaining this application under section 438 of Cr.P.C. and similarly situated co-accused, namely, Manoj Mallik has been released on bail by this Court in ABLAPL No.11794 of 2021 and after hearing the learned counsel for the State, 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



P