

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No. 16420 of 2021

- 1. Kuni Mallick**
- 2. Shanti Sethy**
- 3. Shanti Das**
- 4. Anupama Biswal**
- 5. Susama Das**
- 6. Bharti Das**
- 7. Latika Parida**
- 8. Sabita Das**
- 9. Bharati Kar**

.... **Petitioners**

Mr.A. Suhail, Advocate

-versus-

State of Odisha

.... **Opp. Party**

Mr. D.K. Pani
Addl. Standing Counsel

CORAM:

JUSTICE S.K. SAHOO

ORDER

Order No.

31.01.2022

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 of Cr.P.C. for grant of anticipatory bail to the petitioners in connection with Abhaychandpur P.S. Case No.123 of

2021 corresponding to G.R. Case No. 792 of 2021 pending in the Court of learned J.M.F.C., Erasama for alleged commission of offences under sections 143/341/294/506/353/186/149 of the Indian Penal Code.

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

Learned counsel for the petitioners submitted that the accusation against the petitioners is that when the informant who was the Tahasildar, Erasama along with police force came to village Mahala under Dinkia Gram Panchayat to demarcate the Govt. land and village boundary line of the newly created revenue village Mahala, the petitioners and others opposed them. Learned counsel for the petitioners further submitted that the accusation leveled against the petitioners are omnibus in nature and the offences are triable by Magistrate and therefore, the anticipatory bail application of the petitioners may be favourably considered.

Learned counsel for the State opposed the prayer for bail.

Considering the submissions of learned counsel for the respective parties, the nature of accusation against the petitioners, the background of the case and the fact that the offences are triable by Magistrate, 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 co-operate with the investigation as and when required and shall not try to hamper with the works of the public authorities in demarcating the Government land and village boundary line of the newly created revenue village Mahal. If they flout any terms and conditions, the prosecuting agency is at liberty to seek appropriate remedy for cancellation of the anticipatory bail order of the petitioners.

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.

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(S.K. Sahoo)
Judge