

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.16426 of 2021

1. Rabindra Malik

2. Babuli Malik

....

Petitioners

Mr.A.K. Sahoo, Advocate

-versus-

State of Odisha

....

Opp. Party

Mr.D.K. Pani,

Addl. Standing Counsel

**CORAM:
JUSTICE S.K. SAHOO**

**ORDER
25.01.2022**

Order No.

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

Heard learned counsel for the petitioner 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 Mahakalpada P.S. Case No.177 of 2021 corresponding to G.R. Case No.2564 of 2021 pending before the learned S.D.J.M., Kendapara for commission of alleged offences under sections 341, 294, 323, 452, 506, 354/34 of the Indian Penal Code.

Learned counsel for the petitioners submitted that during immersion procession of Goddess Kali, the dispute arose between Harijan Sahi and Bhola Sahi for

which the case has been foisted after four days of the alleged occurrence and the offences are triable by Magistrate and therefore, the prayer for anticipatory bail may be favourably considered.

Learned counsel for the State has produced the case diary and on verification of the same submitted that there are two injured persons in this case, namely, Smt. Sanjukta Bhol and Ambuja Bhola and both of them have sustained simple injuries.

Considering the submissions made by the learned counsel for the respective parties, nature of accusation against the petitioners, since the injured persons have sustained simple injuries and 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 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 above 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

PKSahoo

