

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.16461 of 2021

1. Madan Sahu **Petitioners**
2. Minaketan Rana
3. Keshab Rana
4. Khira Rana @
Khirasindhu Rana

Mr. B.P. Das, Advocate

-versus-

State of Odisha **Opp. Party**

Mr. Arupananda Das,
Addl. Government Advocate

CORAM:

JUSTICE S.K. SAHOO

ORDER

25.01.2022

Order No.

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 Cr.P.C. for grant of anticipatory bail to the petitioners in connection with G.R. Case No.352 of 2021 arising out of Saintala P.S. Case No.360 of 2021 pending in the Court of learned J.M.F.C., Saintala for alleged commission of offences under sections 341/323/324/294/506/34 of the Indian Penal Code.

Perused the F.I.R.

Learned counsel for the petitioners submitted that the petitioners and the informant are neighbour and there was long standing civil dispute between the parties for which the case has been foisted and the offences are triable by Magistrate and the only non-bailable offence is under section 506 of the Indian Penal Code and therefore, the anticipatory bail application of the petitioners may be favourably considered.

Learned counsel for the State, on the other hand, produced the case diary and submitted that three persons were sent for medical examination on police requisition and out of them, two are found to have been no injury at all and so far as injured Juge Rana, it was found that he has sustained simple injuries.

Considering the submissions made by the learned counsel for the respective parties, the nature of accusation against the petitioners and the existence of civil dispute between the parties and since the injuries sustained by the injured are simple in nature, 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 such facts to the Court 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

RKM