

**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**ABLAPL No. 16619 of 2021**

***Bhima Sahoo @ Bhimasen  
Sahoo***

***Petitioner***

*Mr.P.K. Mishra, Advocate*

*-versus-*

***State of Odisha***

***Opp. Party***

*Mr. Susamarani Sahoo  
Addl. Standing Counsel*

**CORAM:**

**JUSTICE S.K. SAHOO**

**ORDER**

**24.01.2022**

**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 petitioner in connection with Itamati P.S. Case No.97 of 2020 corresponding to G.R. Case No.356 of 2020 pending in the Court of learned S.D.J.M., Nayagarh for alleged commission of offences under sections 341/342/323/294/307/506/34 of the Indian Penal Code.

Perused the F.I.R.

Learned counsel for the petitioner submitted that it is a case and counter case and due to civil dispute between the parties, the case has been foisted and the co-accused persons who approached this Court for anticipatory in ABLAPL No.8654 of 2020 and they have been directed to be released on bail by this Court as per the order dated 26.08.2020 and therefore, the bail application of the petitioner may be favourably considered.

Learned counsel for the State has produced the case diary and submitted that though the injured has sustained head injury but it has been opined to be simple in nature.

Considering the submission of learned counsel for the respective parties, nature of accusation, existence of civil dispute between the parties, release of the co-accused persons on anticipatory bail and the nature of injury sustained by the injured, I am inclined to release the petitioner on anticipatory bail and accordingly, this Court directs that in the event of arrest of the petitioner 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 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 7<sup>th</sup> January 2022.

p

