

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.16736 of 2021

1. Nirakar Meher
2. Smt. Sita Meher
3. Rama Meher **Petitioners**

Mr. S.K.Mohanty, Advocate

-versus-

State of Odisha **Opp. Party**

Mr.J.P. Patra,
Addl. Standing Counsel

CORAM:
JUSTICE S.K. SAHOO

ORDER
25.01.2022

Order No.

01.

This matter is taken up through video conferencing.

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 Patnagarh P.S. Case No.265 of 2021 corresponding to G.R. Case No.1088 of 2021 pending before the learned S.D.J.M., Patnagarh for commission of alleged offences under sections 448, 294, 323, 307, 506/34 of the Indian Penal Code.

Learned counsel for the petitioners submitted that petitioners and the informant are neighbours and there was boundary dispute between the parties for which the case has been foisted and petitioner nos.2 and 3 are ladies and therefore, the prayer for anticipatory bail may be favourably

considered.

Learned counsel for the State opposed the prayer for anticipatory bail.

Considering the submissions made by the learned counsel for the respective parties, the nature of accusation against the petitioner nos.2 and 3, since they are ladies, keeping in view the proviso to section 437(1) Cr.P.C., I am inclined to release them on anticipatory bail and accordingly, this Court directs that in the event of arrest of the petitioner nos.2 and 3 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.

So far as petitioner no.1 Nirakar Meher is concerned, considering the nature of accusation against him, while not inclining to grant anticipatory bail to him, it is observed that in the event petitioner no.1 surrenders and moves for bail, the learned Courts below shall dispose of the same in accordance with law expeditiously. The case records shall be made available to the Courts concerned for disposal of the bail application.

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

