

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No. 16748 of 2021

**1. Manas @ Manas Kumar
Naik**

**2. Brajabandhu Naik @
Braja Naik**

3. Madhav Naik

4. Bira Naik

5. Rakesh Kumar Naik

**6. Rabi @ Rabindra Kumar
Naik**

.... Petitioners

Mr. S.P. Dash, Advocate

-versus-

State of Odisha

.... Opp. Party

Mr.D.K. Pani,
Addl. Standing Counsel

CORAM:

JUSTICE S.K. SAHOO

ORDER

23.02.2022

Order No.

02. This matter is taken up through Hybrid Arrangement (Video Conferencing/Physical Mode).

Heard the 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 Fategarh P.S. Case No.252 of 2021 corresponding to G.R. Case No.235 of 2021

pending in the Court of learned J.M.F.C., Bhapur for alleged commission of offences under sections 341/294/323/324/325/506/34 of the Indian Penal Code.

In view of the nature and gravity of the accusation against petitioners nos.1 and 2, namely, Manas @ Manas Kumar Naik and Brajabandhu Naik @ Braja Naik, while not inclining to grant anticipatory bail to them, I direct that in the event the petitioners nos.1 and 2 surrender and move for bail before the learned Court below within a period of four weeks from today, the same shall be disposed of as expeditiously as possible in accordance with law by the Courts below. The case records shall be made available to the Court concerned.

So far as petitioners nos.3, 4, 5 and 6, namely, Madhav Naik, Bira Naik, Rakesh Kumar Naik and Rabi @ Rabindra Kumar Naik are concerned, considering the submissions made by the learned counsel for the petitioners that the offences are triable by Magistrate and there is no specific overt act alleged against them, I am inclined to release them on anticipatory bail and accordingly, this Court directs that in the event of arrest of the petitioners nos.3, 4, 5 and 6 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 conditions shall entail cancellation of bail.

The ABLAPL is accordingly disposed of.

Urgent certified copy of this order be granted on proper application.

(**S.K. Sahoo**)
Judge

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