

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.16781 of 2021

Chandan Sahoo **Petitioner**

Mr.N.R. Routray, Advocate

-versus-

State of Odisha **Opp. Party**

*Mr.A.K. Beura,
Addl. Standing Counsel*

ABLAPL No.16776 of 2021

Soumya Ranjan Khatua **Petitioner**

Mr.N.R. Routray, Advocate

-versus-

State of Odisha **Opp. Party**

*Mr.A.K. Beura,
Addl. Standing Counsel*

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

ORDER

07.04.2022

Order No.

02. Both the matters are taken up through Hybrid arrangement (video conferencing/physical mode).

Since both the applications arise out of one case, with the consent of the learned counsel for both the parties, both are heard analogously and disposed of by this common order.

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 Dhenkanal P.S. Case No.650 of 2021 corresponding to G.R. Case No.1500 of 2021 pending before the learned S.D.J.M., Dhenkanal for commission of alleged offences under sections 341, 323, 307/34 of the Indian Penal Code.

Learned counsel for the State on instruction submitted that the petitioner Soumya Ranjan Khatua (in ABLAPL No. 16776 of 2021) is having no criminal antecedents in Dhenkanal police station. He further placed the statement of the injured Dusmanta Kumar Panda from which it appears that the petitioner Chandan Sahoo (in ABLAPL No.16781 of 2021) assaulted him by means of an iron rod on his head for which he was first taken to Bhapur C.H.C. and thereafter to District Headquarters Hospital, Dhenkanal.

In view of the nature and gravity of accusation against the petitioner Chandan Sahoo, while not inclining to grant anticipatory bail to him, it is observed that in the event he surrenders in the learned Court below and moves for bail, the learned Courts below shall dispose of the same in accordance with law expeditiously and the claim of parity with the co-accused, who is stated to have been released on

bail shall be taken into account. The case records shall be made available to the Courts concerned for disposal of the bail application.

So far as petitioner Soumya Ranjan Khatua is concerned, there being no specific overt act and absence of criminal antecedents against him, I am inclined to release him on anticipatory bail and accordingly, this Court directs that in the event of arrest of the petitioner Soumya Ranjan Khatua 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 any facts to the Courts or to the Investigating Officer.

Violation of any of the above conditions shall entail cancellation of bail.

Both the ABLAPLs are accordingly disposed of.

Issue urgent certified copy as per Rules.

(S.K. Sahoo)
Judge

