

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.16800 of 2021

1. Shankar Badabhura **Petitioners**
2. Mishra Duria
3. Arun Duria
4. Kusha Kanta

Mr. P.K. Nanda, *Advocate*

-versus-

State of Odisha **Opp. Party**

Mr. Arupananda Das,
Addl. Government Advocate

CORAM:

JUSTICE S.K. SAHOO

ORDER

27.01.2022

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.750 of 2021 arising out of Sunabeda P.S. Case No.147 of 2021 pending in the Court of learned S.D.J.M., Koraput for alleged commission of offences under sections 147/148/294/506/149 of the Indian Penal Code read with sections 25 and 27 of the Arms Act.

Perused the F.I.R.

Learned counsel for the petitioners submitted that there was a dispute between the two villages prior to the alleged occurrence for which the case has been foisted and the offences are triable by Magistrate and the allegations against the petitioners are omnibus in nature and therefore, the anticipatory bail application of the petitioners 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 petitioners and since the offences are triable by Magistrate, 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.

RKM

