

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No. 16899 of 2021

- 1. Raghunath Jena**
- 2. Jagabandhu Jena**
- 3. Kalinga Jena**
- 4. Santosh Kumar Jena**
- 5. Kalu Charan Jena @
Chatia Jena**
- 6. Dinabandhu Jena**
- 7. Gobinda Jena**
- 8. Krushna Chandra Jena**
- 9. Pradeep Mallik @
Sindhu Mallik**
- 10. Pramod Jena**
- 11. Biranchi Jena**
- 12. Prasanta Jena @ Kuna**
- 13. Bhagya Behera**

.... **Petitioners**

Mr.S.K. Dalai, Advocate

-versus-

State of Odisha

.... **Opp. Party**

Mr. J.P. Patra
Addl. Standing Counsel

CORAM:

JUSTICE S.K. SAHOO

ORDER

Order No.

27.01.2022

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.3856 of 2021 arising out of Krushna Prasad P.S. Case No.158 of 2021 pending in the Court of learned S.D.J.M., Puri for alleged commission of offences under sections 452/323/354/506/34 of the Indian Penal Code.

Perused the F.I.R.

Learned counsel for the State submitted that the petitioner no.1 has got one criminal antecedent.

In view of available material on record particularly, in view of the criminal antecedent against the petitioner no.1, Raghunath Jena, while not inclining to grant anticipatory bail to him, it is observed that in the event petitioner no.1 surrenders and moves for bail before the learned Court below within a period of four weeks from today, the same shall be disposed of by the Courts below as expeditiously as possible in accordance with law and if any co-accused has been released on bail in the meantime, the claim of parity shall be taken into account. The case diary be made available before the Court concerned for disposal of the case.

So far as petitioners nos.2 to 13 are concerned, considering the nature of accusation available on record against them, the background of the case and

the fact that the offences are triable by Magistrate, I am inclined to release them on anticipatory bail.

Accordingly, this Court directs that in the event of arrest of petitioners nos.2 to 13 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.

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(S.K. Sahoo)
Judge

