IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.11221 of 2021

Dharani Malik & others Petitioners

-versus-

State of Odisha Opposite Party

CORAM: THE JUSTICE S.PUJAHARI

ORDER 26.10.2021

Order No.

02

- 1. This matter is taken up through Hybrid mode.
- 2. The Petitioners apprehending their arrest in Panikoili P.S. Case No.225 of 2021 registered for alleged commission of offence punishable under Sections 341/294/323/324/354-B/307/506/34 IPC have filed this petition for their release on pre-arrest bail.
- 3. Heard learned counsel for the petitioners and learned counsel for the State.
- 4. The allegation of the prosecution is that there was a quarrel between the two groups with regard to auction of village pond. During such quarrel, there was assault and counter assault between the parties. In spite of the opportunity given, no injury report has been produced by the learned counsel for the State.
- 5. Considering the facts and the submissions made, nature of accusation appearing against the petitioners, circumstances

in which the offences stated to have been committed and also it being not disputed that the Petitioners' release on pre-arrest bail shall not be a hindrance to a free and fair investigation, this Court is of the view that the Petitioners have made out a case for their release on pre-arrest bail, more particularly when they are ready and willing to cooperate with the investigation and they have no chance of absconding and/or tampering with the prosecution evidence, if released on pre-arrest bail.

- 6. Hence, this Court directs that in the event of arrest of the Petitioners in connection with the aforesaid case, they be released on bail by the Officer effecting arrest on such terms and conditions as deemed just and proper.
- 7. However, the aforesaid order is subject to the condition that the Petitioners shall cooperate with the investigation and no other graver offence is reported against the Petitioners besides the aforesaid offences.
- 8. The ABLAPL is, accordingly, disposed of being allowed.
- 9. Urgent certified copy of the order be granted on proper application.

(S. Pujahari) Judge