

ABLAPL No.9864 of 2015

11.09.2015 The learned counsel for the petitioners does not want to press the bail application of petitioner nos.1, 3 and 4. Hence, anticipatory bail application of petitioner nos.1, 3 and 4 is rejected.

Heard learned counsel for the petitioners and learned Addl. Standing Counsel.

The petitioner nos. 2 and 5 are apprehending arrest for the alleged commission of offence under Sections 294, 506 and 436/34 of the IPC in C.T. Case No.260/2015 of the court of JMFC, Khariar, Dist.Nuapada, arising out of Boden P.S. Case No.55/2015.

There is no eyewitness to the occurrence that the petitioner nos. 2 and 5 setting fire to the house of the informant. The FIR has been filed only on the basis of suspicion. The injury sustained by the injured is simple in nature. The petitioner nos. 2 and 5 are permanent resident of Amguda, P.S.Boden, Dist. Nuapada. So, there is no chance of their absconding from justice. In the meantime, co-accused has been released on bail as per order dated 06.08.2015 passed by the learned Sessions Judge, Nuapada in BLAPL No.166/2015.

Keeping in view the aforesaid consideration and the facts of the case, anticipatory bail application is allowed. In the event of their arrest in the aforesaid case, the petitioner nos.2 and 5 shall be released on bail by the arresting officer on such terms and conditions as deemed just and proper by him.

The ABLAPL is disposed of accordingly.

Urgent certified copy of this order be granted as per rules.

S.K. Mishra, J.

In the interim Case No.8721 of 2015 that the petitioner no.2 shall not be disengaged only on the basis of attaining the age of 60 till the next date.

Urgent certified copy of this order be granted as per rules.

S.K. Mishra, J.