

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No. 175 of 2022

Rajanikanta Suna @ Rajani Suna **Petitioner**

Mr. S. Dwibedi, Advocate

-versus-

State of Odisha **Opp. Party**

Mr. D.K. Pani,
Standing Counsel

ABLAPL No. 173 of 2022

Tirendra Bag @ Tiren @ Tirupati Bag **Petitioner**

Mr. S. Dwibedi, Advocate

-versus-

State of Odisha **Opp. Party**

Mr. D.K. Pani,
Standing Counsel

CORAM:
JUSTICE S.K. SAHOO

ORDER

Order No.

31.01.2022

01. These matters are taken up through Video Conferencing Mode.

Since both the anticipatory bail applications arise out of one case i.e. G.R. Case No.1178 of 2021 arising out of Khaprakhol P.S. Case No.242 of 2021 pending in the Court of learned S.D.J.M., Patnagarh, with the consent of the learned counsel for the

respective parties, those are heard analogously and disposed of by this common order.

Heard learned counsel for the petitioners and learned Additional Standing Counsel for the State in both the anticipatory bail applications.

This is an application under section 438 of Cr.P.C. in connection with Khaprakhol P.S. Case No.242 of 2021 corresponding to G.R. Case No.1178 of 2021 pending in the file of learned S.D.J.M., Patnagarh, for alleged commission of offences under sections 370/374/420/353/323/34 of the Indian Penal Code read with section 25 of the ISMW Act.

Learned counsel for the petitioners submitted that on account of shortage of work in the locality, the labourers were interested to go to the State of Tamil Nadu to work there for which they were paid advance and as they were not compelled by anybody, the basic ingredients of the offences are not attracted and therefore, the bail application of the petitioners may be favourably considered.

The learned counsel for the State opposed the prayer for bail.

Considering the submission made by the learned counsel for the respective parties in both the anticipatory bail applications, the nature of accusation against the petitioners, I am inclined to release the petitioners in both the cases 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 anticipatory 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 any facts to the Courts or to the Investigating Officer.

Accordingly, both the anticipatory bail applications stands 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.

(S.K. Sahoo)
Judge