

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.223 of 2022

1. Dillip @ Dilu Nayak
2. Naba Kishra Swain
3. Sanatan @ Liku Parida Petitioners
@ Liku Sahoo

Mr. R. Achary, Advocate

-versus-

State of Odisha Opp. Party

Mr. Karunakar Nayak,
Addl. Standing Counsel

CORAM:

JUSTICE S.K. SAHOO

ORDER

31.01.2022

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.1022 of 2021 arising out of Baliana P.S. Case No.376 of 2021 pending in the Court of learned J.M.F.C.(O), Bhubaneswar for alleged commission of offences under sections 341/353/332/379/34 of the Indian Penal Code read with section 68 of the Orissa Minor Minerals Concession Rules, 2004.

Perused the F.I.R.

Considering the submission made by the learned counsel for the petitioners that the offences are triable by Magistrate and the petitioners' implication in the case is based on the confessional statement of the co-accused before police and similarly situated co-accused, namely, Hrushikesh Parida @ Hrushikesh Jena has already been granted anticipatory bail in ABLAPL No.15191 of 2021 as per order dated 13.12.2021 and on hearing the learned counsel for the State, 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.

(S.K. Sahoo)
Judge

RKM

