

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.273 of 2022

1. Debraj Swain

2. Bidyadhar Sahoo

....

Petitioners

Mr.A.N. Samantaray, Advocate

-versus-

State of Odisha

....

Opp. Party

Mr.Arupananda Das,

Addl. Government Advocate

**CORAM:
JUSTICE S.K. SAHOO**

**ORDER
31.01.2022**

Order No.

01.

This matter is taken up through video conferencing.

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 Jenapur P.S. Case No. 263 of 2021 corresponding to C.T. Case No.1427 of 2021 pending in the Court of learned J.M.F.C., Chandikhol for commission of alleged offences under sections 379, 420/34 of the Indian Penal Code and section 21 of the Mines and Minerals (Development and Regulation) Act 1957 section 15 of the Environment (Protection) Act 1986 and sections 4 and 5 of the Explosive Substances Act 1908.

Perused the F.I.R. annexed to the anticipatory bail application.

Considering the submission made by the learned counsel for the petitioners that the petitioners have been entangled in

the case as they are owners of the tractors and similarly situated co-accused, namely, Abhimanyu @ Abhi Sahoo has already been enlarged on anticipatory bail in ABLAPL No. 11597 of 2021 as per order dated 29.09.2021, copy of which is filed and taken on record, the offences are triable by Magistrate and after 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 any facts to the Courts 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