

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.285 of 2022

Sanjay Kumar Singh @ Sanjay Singh ***Petitioner***

Mr.P.K. Jena, Advocate

-versus-

State of Odisha ***Opp. Party***

*Mrs. Susamarani Sahoo,
Addl. Standing Counsel*

**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 petitioner and learned counsel for the State.

This is an application under section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in connection with Jenapur P.S. Case No.358 of 2021 corresponding to C.T. Case No.1893 of 2021 pending before the learned J.M.F.C., Chandikhole for commission of alleged offence under section 379 of the Indian Penal Code.

Learned counsel for the petitioner submitted that the F.I.R. was lodged against unknown persons and during the course of investigation three of the co-

accused persons were taken into custody and they have already been released on bail. Learned counsel further submitted that the petitioner has been implicated in the case based on the confessional statement of the co-accused before the police and he is the owner of the crane and since the offence is triable by Magistrate, the prayer for anticipatory bail may be favourably considered.

Learned counsel for the State opposed the prayer for bail and submitted that the petitioner has got one criminal antecedent.

Considering the submissions made by the learned counsel for the respective parties, nature of accusation against the petitioner, release of the co-accused persons on bail and the fact that the offence is triable by Magistrate, I am inclined to release the petitioner on anticipatory bail and accordingly, this Court directs that in the event of arrest of the petitioner in connection with the aforesaid case, he shall be released on bail on furnishing bail bond of Rs.10,000/-(rupees ten thousand) with two sureties each for the like amount to the satisfaction of the arresting officer with further conditions that he shall make himself available for interrogation by the I.O. as and when required and he 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

PKSahoo

