

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.359 of 2022

Babu @ Ghusuri @ Babul Petitioner

Mr.A.K. Sahoo, Advocate

-versus-

State of Odisha Opp. Party

Mr.G.N. Rout

Addl. Standing Counsel

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

**ORDER
01.02.2022**

Order No.

01. This matter is taken up through video conferencing mode.

Heard learned counsel for the petitioner and learned counsel for the State.

This is an application under section 438 of Cr.P.C. for grant of anticipatory bail to the petitioner in connection with Nikirai P.S. Case No.152 of 2020 corresponding to G.R. Case No.1724 of 2020 pending in the court of learned S.D.J.M., Kendrapara for alleged commission of offences under sections 341, 324, 325, 307, 379, 294, 506/34 of the Indian Penal Code.

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

Considering the submissions made by the learned counsel for the petitioner that there was a dispute between the villagers relating to digging of earth near a canal bandh for catching fish and there are no such materials to attract the

ingredients of the offence under section 307 of the Indian Penal Code and similarly situated co-accused persons have been directed to be released on anticipatory bail in ABLAPL No. 72 of 2021 as per order dated 09.02.2021 and on hearing the learned counsel for the State, 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