

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.395 of 2022

1. Bhabani Sankar Swain
2. Susanta Kumar Behera Petitioners

Mr. J. Sahoo, Advocate

-versus-

State of Odisha Opp. Party

Mr. A.K. Beura,
Addl. Standing Counsel

CORAM:

JUSTICE S.K. SAHOO

ORDER

01.02.2022

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.26 of 2022 arising out of Khurda Sadar P.S. Case No.02 of 2022 pending in the Court of learned S.D.J.M., Khurda for alleged commission of offences under sections 379/411/34 of the Indian Penal Code read with section 21 of the Mines and Minerals (Development and Regulation) Act, 1957 and section 3(1) of the Prevention of Damage to Public Property Act, 1984.

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 petitioner no.1 is the owner and petitioner no.2 is the driver of the offending vehicle and there is no criminal antecedent against the petitioners 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 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