

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.602 of 2020

Nihar Samal @ Biswash Petitioner
Samal

Mr. B.B. Routray, *Advocate*

-versus-

State of Odisha Opp. Party

Mr. D.K. Pani,
Addl. Standing Counsel

CORAM:

JUSTICE S.K. SAHOO

ORDER

11.01.2022

Order No.

03.

This matter is taken up by video conferencing mode.

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 Ainthapali P.S. Case No.253 of 2019 corresponding to G.R. Case No.2046 of 2019 pending in the Court of learned S.D.J.M., Sambalpur for alleged commission of offences under sections 147/148/341/294/323/324/307/506/149 of the Indian Penal Code.

Perused the FIR.

Learned counsel for the petitioner submitted that the petitioner was not named in the F.I.R. and some of

the co-accused persons, who approached this Court for anticipatory bail were directed to surrender in the Court below and they have already been released on bail and the averments to that effect has taken in paragraph-4 of the anticipatory bail application and therefore, the anticipatory bail application of the petitioner may be favourably considered.

Learned counsel for the State on verification of the case diary fairly submitted that the petitioner is similarly situated like the co-accused persons, who are already released on bail.

Considering the submissions made by the respective parties, the nature of accusation against the petitioner and release of co-accused persons on bail, 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 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 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.

RKM

