

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.569 of 2022

1. Ganesh Behera

2. Amar Jena

.... **Petitioners**

Mr. M. Chand, Advocate

-versus-

State of Odisha

.... **Opp. Party**

Mr. D.K. Pani

Addl. Standing Counsel

CORAM:

JUSTICE S.K. SAHOO

ORDER

Order No.

02.02.2022

01. This matter is taken up through Video Conferencing Mode. संक्षिप्त न्यायो

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

This is an application under section 438 of Cr.P.C. for grant of anticipatory bail to the petitioners in connection with Jankia P.S. Case No.21 of 2022 corresponding to G.R. Case No.78 of 2022 pending in the Court of learned S.D.J.M., Khurda for alleged commission of offences under sections 379/34 of the Indian Penal Code and 51 of the Orissa Minor Mineral Concession Rules, 2004.

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

Considering the submission made by the learned counsel for the petitioner that the petitioner no.1 is the owner and petitioner no.2 is the Manager of the offending truck in which laterite stones were being illegally transported and the same has been seized and 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 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.

p

(S.K. Sahoo)
Judge

