

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.625 of 2020

Amiya Kumar Nayak* *Petitioner

Mr. B.R. Swain, 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 Naikandihi P.S. Case No.04 of 2020 corresponding to G.R. Case No.12 of 2020 pending in the Court of learned J.M.F.C., Basudevpur for alleged commission of offences under sections 406/409/34 of the Indian Penal Code.

Perused the FIR.

Learned counsel for the petitioner submitted that the petitioner was Grama Rojgara Sevak and the role

of the petitioner in the disbursement of the benefits under PMAY scheme to the beneficiaries is very limited and the offences are triable by Magistrate and the petitioner has already been dismissed from his service and therefore, the anticipatory bail application of the petitioner may be favourably considered.

Learned counsel for the State opposed the prayer for bail.

Considering the submissions made by the respective parties, the nature of accusation against the petitioner and the fact that the offences are 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 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.

(S.K. Sahoo)
Judge

RKM

