

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No. 743 of 2022

- 1. Brahamananda Swain**
- 2. Pratap Kumar Behera**
- 3. Deepak Sardar @**
Sarkar
- 4. Sanatan Das**

.... ***Petitioners***

Md. D.K. Sahoo, *Advocate*

-versus-

State of Odisha

.... ***Opp. Party***

Miss Samapika Mishra,
Addl. Standing Counsel

CORAM:

JUSTICE S.K. SAHOO

ORDER

03.02.2022

Order No.

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

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 Marine P.S. Case No.169 of 2021 corresponding to G.R. Case No. 2554 of 2021 pending in the Court of learned S.D.J.M., Kendrapara for alleged commission of offences under sections

427/506/34 of the Indian Penal Code and section 3 of the Prevention of Damage to Public Property Act, 1984.

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

Considering the submissions made by the learned counsel for the petitioners that the Records of Rights stand in the name of petitioners and there was plantation in such lands, the petitioners tried to destroy the same, for which the case has been foisted and offences are triable by Magistrate 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 the petitioners shall not create any hindrance to the acts of public servant and they shall cooperate with the investigation. If they flout any terms and conditions, the prosecuting agency is at liberty to seek appropriate remedy for cancellation of the anticipatory bail order of the petitioners.

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

