

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No. 746 of 2022

Dinesh @ Dinesh Kumar Mishra **Petitioner**

Md. P.K. Behera, *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 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 Badambadi P.S. Case No.373 of 2021 corresponding to G.R. Case No.1681 of 2021 pending in the Court of learned J.M.F.C. (City), Cuttack for alleged commission of offences under sections 420/294/323/506/34 of the Indian Penal Code.

Learned counsel for the petitioner submitted that co-accused Binay Kumar Das is a Software Engineer

and was the proprietor of M/s. A to Z Solution and the petitioner was working as a Security Guard in the office of the said co-accused. It is further submitted that there is a counter case to the present case, the offences are triable by Magistrate and the co-accused Binay Kumar Das has already been released on anticipatory bail by this Court in ABLAPL No.16859 of 2021 as per the order dated 27.01.2022 and therefore, the prayer for anticipatory bail may be favourably considered.

Learned counsel for the State opposed the prayer for anticipatory bail.

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

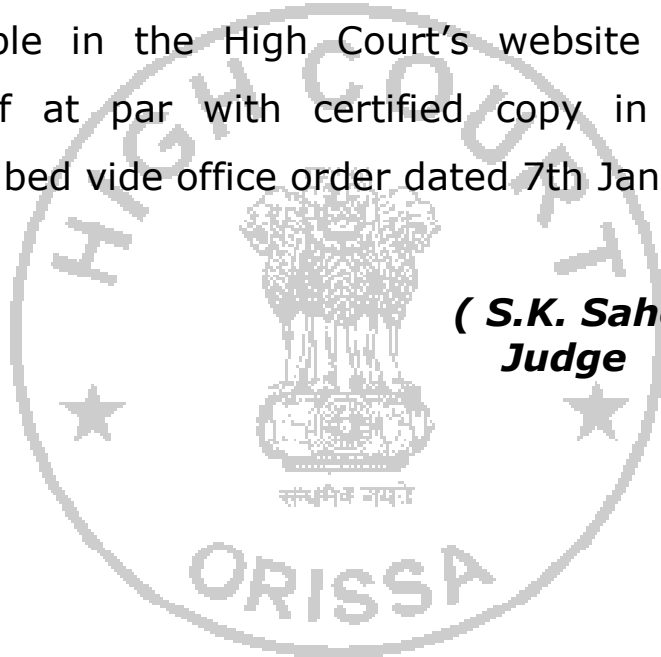
Considering the submissions made by the learned counsel for the respective parties, the nature of accusation against the petitioner and the fact that the offences are triable by Magistrate and further taking into account the release of the co-accused on anticipatory bail, I am inclined to release the 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 each 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 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.

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(S.K. Sahoo)
Judge