

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No. 1164 of 2022

S. Jaffar @ Shaik Jaffar **Petitioner**

Mr. B. Jalli, Advocate

-versus-

State of Odisha **Opp. Party**

Mr. J.P. Patra

Addl. Standing Counsel

CORAM:

JUSTICE S.K. SAHOO

ORDER

08.02.2022

Order No.

01. This matter is taken up through Hybrid Arrangement (Video Conferencing/Physical Mode).

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

This is an application under section 438 of Cr.P.C. for grant of anticipatory bail to the petitioner in connection with Khurda P.S. Case No.27 of 2022 corresponding to G.R. Case No.81 of 2022 pending in the Court of learned S.D.J.M., Khurda for alleged commission of offences under sections 307/429/120-B/34 of the Indian Penal Code read with section 7 of the Prevention of Cruelty to Animals Act, 1960.

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

bail application.

Learned counsel for the petitioner submitted that the case was registered against the driver of the offending truck bearing registration No.AP-39-U-6766 and the petitioner is the Managing Director/Partner of SKS Transport for which he has been falsely entangled in the case. He further submitted that there are no such materials to attract the ingredients of offence under section 307 of the Indian Penal Code and therefore, the bail application of the petitioner may be favourably considered.

Learned counsel for the State opposed the prayer for bail and submitted that it is a case of transportation of beef in a truck.

Considering the submissions made by the learned counsel for the respective parties, nature of accusation against the petitioner, 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 conditions shall entail cancellation of bail.

The ABLAPL is accordingly disposed of.

Urgent certified copy of this order be granted on proper application.

p

(S.K. Sahoo)
Judges

