

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.1202 of 2022

Babuli @ Nani Gopal Sahu Petitioner

Mr.Dinesh Ray, Advocate

-versus-

State of Odisha Opp. Party

*Mr. Dhanoj Kumar Sahoo
Standing Counsel (Railways)*

**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 the learned counsel for the petitioner and learned Standing Counsel for the Railways.

This is an application under section 438 of Cr.P.C. for grant of anticipatory bail to the petitioner in connection with Kamakshya Nagar P.S. Case No. 277 of 2021 corresponding to 2(C) CC Case No.02 of 2021 pending in the Court of learned S.D.J.M., Kamakshyanagar for the commission of the alleged offence punishable under section 3(a) R.P. (UP) Act 1966.

Mr. Dhanoj Kumar Sahoo, learned Standing Counsel appearing for the Railways submitted that there is no criminal antecedent against the petitioner. He further submitted that the co-accused persons, who were arrested in connection with

this case, have been released on bail, but the interrogation of the petitioner is very much necessary.

Considering the submissions made by the learned counsel for the respective parties, the nature of accusation against the petitioner, release of the co-accused persons on bail and the fact that the offence is triable by Magistrate and on hearing the learned Standing Counsel for the Railways, 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 appear before the Investigating Officer on 14th February 2022 and shall further appear before the I.O. as and when required, but to that effect written notice in advance be served on the petitioner. The petitioner shall cooperate with the investigation and shall not try to tamper with the evidence. Violation of any of the conditions, the prosecuting agency is at liberty to seek appropriate relief for cancellation of bail.

The ABLAPL is accordingly disposed of.

Issue urgent certified copy as per Rules.

(S.K. Sahoo)
Judge