

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No. 1309 of 2022

1. Jagannath Sahoo

2. Ajaya Muduli

....

Petitioners

Mr. Manas Chand, *Advocate*

-versus-

State of Odisha

....

Opp. Party

Mr. D.K. Pani,

Addl. Standing Counsel

CORAM:

JUSTICE S.K. SAHOO

ORDER

28.02.2022

Order No.

03.

This matter is taken up through Hybrid Arrangement (Video Conferencing/Physical 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 Bolagarh P.S. Case No.28 of 2022 corresponding to G.R. Case No.178 of 2022 pending in the Court of learned S.D.J.M., Khurda for alleged commission of offences under sections 379/411 of the Indian Penal Code read with section 51(1)(i) of the Odisha Minor Minerals Concession Rules, 2016.

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

bail application.

Learned counsel for the petitioners submitted that petitioner no.1 is the Manager and petitioner no.2 is the driver of the offending vehicle in which laterite stones were loaded when the same was intercepted by the police. It is further submitted that the F.I.R. was lodged against one Sudhir Rout and in view of the nature of accusation against the petitioners, the bail application of the petitioners may be favourably considered.

It appears that the case which was filed on 02.02.2022 has already suffered two adjournments and on the last date i.e., 22.02.2022 on the prayer made by the learned counsel for the State, the case was adjourned to today. Today, learned counsel for the State seeks further time to obtain instruction. Therefore, I am not in favour of adjourning the matter.

Considering the submissions made by the learned counsel for the respective parties, nature of accusation against the petitioners, 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 they shall make themselves available for interrogation by the I.O. as and when required and they 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 them 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.

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(S.K. Sahoo)
Judge