

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.1318 of 2022

1. Kartik Chandra Raj @

Kartik Raj

2. Gourahari Jena @

Gaurav Jena @ Gourav

Jena

3. Deepak Jena @ Deepak

Ku. Jena

4.Alok Raj

.... Petitioners

Mr.P.C. Jena, Advocate

-versus-

State of Odisha

.... Opp. Party

Mr.A.K. Beura

Addl. Standing Counsel

**CORAM:
JUSTICE S.K. SAHOO**

संस्थानिक न्यायो

ORDER

15.02.2022

Order No.

01. 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 Cr.P.C. for grant of anticipatory bail to the petitioners in connection with C.T. Case No.36 of 2022 arising out of Jaleswar P.S. Case No.30 of 2022 pending in the Court of learned J.M.F.C., Jaleswar for alleged

commission of offences under sections 447/294/323/506/353/188/269/270/354/336/34 of the Indian Penal Code read with section 51 of Disaster Management Act, 2005.

Learned counsel for the petitioners submitted that when the petitioners objected before the Tahasildar, Jaleswar regarding the illegal activities of some sand Mafias and asked him to take action against them, this case has been foisted against the petitioners in order to save the sand Mafias. He further submitted that the offences are triable by Magistrate and therefore, the anticipatory bail application of the petitioners may be favourably considered.

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

Considering the submissions made by the learned counsel for the respective parties, the nature of accusation against the petitioners and the background of the case and the fact that the offences are triable by Magistrate, 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 him from disclosing such facts to the Court or to the Investigating Officer.

Violation of any of the above 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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