

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.1323 of 2022

1. Purusottam Ghadei
2. Panchanan Mallick @
Malik

.... Petitioners

Mr. Arijeet Mishra, Advocate

-versus-

State of Odisha

.... Opp. Party

Mr. A.K. Beura,
Addl. Standing Counsel

CORAM:
JUSTICE S.K. SAHOO

ORDER
16.02.2022

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 Mancheswar P.S. Case No.377 of 2021 corresponding to C.T. Case No.6416 of 2021 pending in the Court of learned S.D.J.M., Bhubaneswar for alleged commission of offences under sections 294/323/341/420/467/468/471/506/34 of the Indian Penal Code.

Perused the F.I.R.

It is submitted by the learned counsel for the petitioners that the case arises out of a complaint petition which was forwarded to the Inspector in-charge of Mancheswar Police Station and accordingly, the P.S. Case was registered. He further submitted that similarly situated co-accused persons have already been granted anticipatory bail by this Court in ABLAPL No.182 of 2022 as per order dated 31.01.2022. He further submitted that another criminal proceeding under section 138 of the N.I. Act is also pending between the parties and 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 submission made by the learned counsel for the respective parties, the nature of accusation against the petitioners and the fact that the offences are triable by Magistrate and further taking into account the release of co-accused persons on anticipatory bail, 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 one surety 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.



RKM