

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.1410 of 2022

Bhagirathi Satnami* *Petitioner

Mr.B.K. Behera-1, Advocate

-versus-

State of Odisha* *Opp. Party

*Mr.Arupananda Das,
Addl. Government Advocate*

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

**ORDER
22.02.2022**

Order No.

01. This matter is taken up through Hybrid arrangement (video conferencing/physical mode).

Heard the learned counsel for the petitioner and learned 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 Jonk P.S. Case No. 05 of 2022 corresponding to C.T. Case No. 22 of 2022 pending in the Court of learned S.D.J.M., Nuapada for the commission of the alleged offences punishable under sections 493, 417 and 294 of the Indian Penal Code.

Perused the first information report annexed to the anticipatory bail application.

Learned counsel for the petitioner submitted that the informant has first lodged one F.I.R. before

the Inspector in-charge of Jonk police station on 24.10.2021 and accordingly, Jonk P.S. Case No. 261 of 2021 was registered under sections 493, 417, 294 and 313 of the Indian Penal Code. It is further submitted that the Investigating Officer on completion of investigation found that it is a false case and accordingly, submitted the final report. Learned counsel further submitted that before accepting the final report, the learned Magistrate issued notice to the informant to file protest petition, if any, but without filing any protest petition, another F.I.R. was lodged against the petitioner relating to the self-same offence, which is not proper and legal and thus, the petitioner is apprehending his arrest in connection with this case and therefore, the prayer for anticipatory bail may be favourably considered.

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

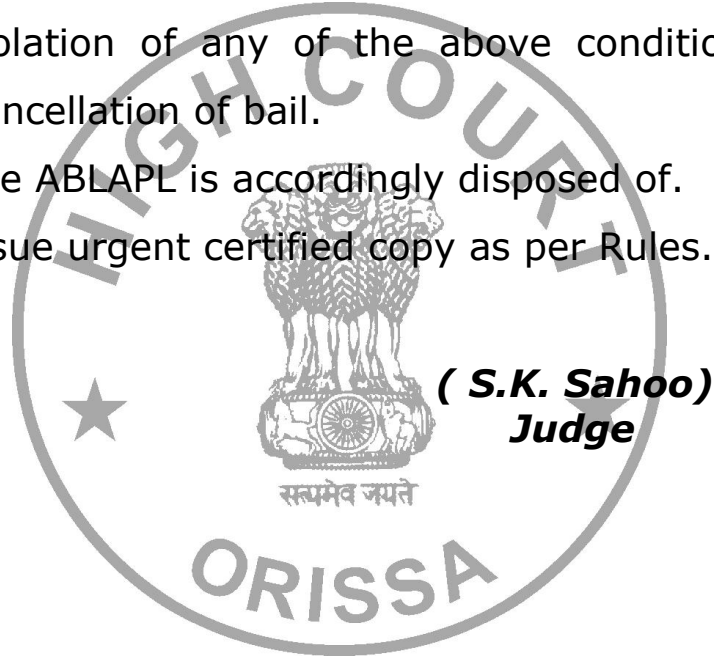
Considering the submissions made by the learned counsel for the respective parties, since in the first case lodged by the informant, final report has been submitted indicating the case to be a false one and without filing protest petition, again another F.I.R. has been lodged by the informant relating to the self-same occurrence, 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 above conditions shall entail cancellation of bail.

The ABLAPL is accordingly disposed of.

Issue urgent certified copy as per Rules.



PKSahoo