

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No. 1454 of 2022

Janmejaya Nayak* *Petitioner

Mr.A.K. Biswal, Advocate

-versus-

State of Odisha* *Opp. Party

Mr. A.K. Beura
Addl. Standing Counsel

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 learned counsel for the petitioner and learned counsel for the State.

This is an application under section 438 of Cr.P.C. in connection with Dharmasala P.S. Case No.34 of 2022 corresponding to C.T. Case No.118 of 2022 pending in the file of learned J.M.F.C., Chandikhole for alleged commission of offences under sections 457/380 of the Indian Penal Code.

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

Learned counsel for the petitioner submitted that six numbers of Idea Transmission Cards have already been recovered at the instance of the co-accused and on the basis of the confessional statement of the said co-accused before police, the petitioner has been arrayed as an accused and the offences are triable by Magistrate and therefore, the anticipatory bail application of the petitioner may be favourably considered.

Learned counsel for the State has produced the case diary and fairly submitted that the stolen cards have already been recovered.

Considering the submissions made by the learned counsel for the respective parties, the nature of accusation against the petitioner and the fact that the offences are triable by Magistrate, 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 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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