

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.2022 of 2022

1. Shantilata Senapati

2. Rakesh Behera

....

Petitioners

Mr.Sk. Kalimuddin, Advocate

-versus-

State of Odisha

....

Opp. Party

Mr.S.S. Pradhan,

Addl. Government Advocate

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

**ORDER
15.03.2022**

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 Nimapara P.S. Case No. 20 of 2022 corresponding to G.R. Case No.43 of 2022 pending in the Court of learned J.M.F.C., Nimapara for commission of alleged offences under sections 379, 411/34 of the Indian Penal Code and section 21 of the Mines and Minerals (Development and Regulation) Act.

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

Considering the submission made by the learned counsel for the petitioners that petitioners are the registered owners of the two tractors in which muddy sand was being transported

illegally, taking into account the nature of accusation and on hearing the learned counsel for the State who submitted that there is no criminal antecedent against any of 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 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.

Urgent certified copy of this order be granted on proper application.

(S.K. Sahoo)
Judge