

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.2118 of 2022

Santosh Kumar Mishra* *Petitioner

Mr. B.C. Ghadei, Advocate

-versus-

State of Odisha* *Opp. Party

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

**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 petitioner and learned counsel for the State.

This is an application under section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in connection with C.T. Case No.65 of 2022 arising out of Khariar P.S. Case No.65 of 2022 pending in the Court of learned J.M.F.C., Khariar.

Perused the F.I.R.

Learned counsel for the petitioner submitted that due to election dispute, the case has been foisted 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 submitted that

during the course of investigation, the 164 Cr.P.C. statement of the informant was recorded and he has stated that he has no grievance against the petitioner and he could not identify, who assaulted him.

In view of such submissions made by the learned counsel for the respective parties, 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 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.

(S.K. Sahoo)
Judge