

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.2158 of 2022

1. Samarjit Biswal
2. Abhinav Biswal @
Avinav Biswal

.... **Petitioners**

Mr.A.K. Pandey, Advocate

-versus-

State of Odisha

.... **Opp. Party**

Mrs. Susamarani Sahoo,
Addl. Standing Counsel

CORAM:
JUSTICE S.K. SAHOO

ORDER
16.03.2022

Order No.

01.

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

Heard the learned counsel for the petitioners and learned counsel for the State.

This is an application under section 438 of Cr.P.C. for grant of anticipatory bail to the petitioners in connection with Balichandrapur P.S. Case No. 86 of 2022 corresponding to C.T. Case No. 295 of 2022 pending in the Court of learned J.M.F.C., Chandikhole for the commission of the alleged offences punishable under sections 341, 294, 323, 379, 506/34 of the Indian Penal Code.

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

Learned counsel for the petitioners submitted that it is a case and counter case and some of the co-accused persons

were taken into custody and they have already been released on bail. He further submitted that the offences are triable by Magistrate and therefore, the anticipatory bail application may be favourably considered.

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

Considering the submissions made by the learned counsel for the respective parties, the nature of accusation against the petitioners, release of the co-accused persons on bail and the fact that the offences are triable by Magistrate, 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.

The ABLAPL is accordingly disposed of.

Issue urgent certified copy as per Rules.

(S.K. Sahoo)
Judge