

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.2258 of 2022

1. Babuli Moharana

2. Narayan Moharana Petitioners

Mr.S.Pattanayak, Advocate

-versus-

State of Odisha

.... Opp. Party

*Mr. Arupananda Das,
Addl. Government Advocate*

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

**ORDER
22.03.2022**

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 Pipili P.S. Case No.73 of 2022 corresponding to G.R. Case No.129 of 2022 pending in the Court of learned J.M.F.C., Pipili for alleged commission of offences under sections 427, 506, 323/34 of the Indian Penal Code.

Learned counsel for the petitioners submitted that notice as contemplated under section 41A of Cr.P.C. has been served on petitioner no.2 and he has complied with the terms of the notice and therefore, there is no apprehension of arrest of the petitioner no.2 in connection with this case.

In view of such submission, the ABLAPL stands disposed of so far as petitioner no.2 is concerned.

Considering the submissions made by the learned counsel for the petitioners that there is a case and counter case, the offences are triable by Magistrate and the only non-bailable offence is one under section 506 of the Indian Penal Code and on hearing the learned counsel for the State, I am inclined to release the petitioner no.1 Babuli Moharana on anticipatory bail and accordingly, this Court directs that in the event of arrest of the petitioner no.1 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.

The ABLAPL is accordingly disposed of.

Issue urgent certified copy as per Rules.

(S.K. Sahoo)
Judge

PKSahoo