

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.2357 of 2022

1. Umesh Seth

2. Suresh Seth

....

Petitioners

Mr. S.N. Mishra, Advocate

-versus-

State of Odisha

....

Opp. Party

Mr. P.K. Mohanty,

Addl. Standing Counsel

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

**ORDER
23.03.2022**

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 Gop P.S. Case No.66 of 2022 corresponding to G.R. Case No.125 of 2022 pending before the learned J.M.F.C., Konark for commission of alleged offences under sections 294, 452, 354, 341, 323, 506, 34 of the Indian Penal Code.

In view of the specific overt act against petitioner no.1 Umesh Seth, while not inclining to grant anticipatory bail to him, it is observed that in the event petitioner no.1 surrenders in the learned Court below and moves for bail within a period of four weeks from today, the learned Courts below shall dispose of the same in accordance with law expeditiously. The case diary be made available before the Court concerned for disposal of the case.

So far as petitioner no.2 Suresh Seth is concerned, in absence of any specific overt act against him and the fact that the offences are triable by Magistrate, I am inclined to release petitioner no.2 on anticipatory bail and accordingly, this Court directs that in the event of arrest of the petitioner no.2 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 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

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