

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.2386 of 2022

1. Sachidananda Parija

2. Tapan Kumar Dash

....

Petitioners

Mr.T.K. Mohanty, Advocate

-versus-

State of Odisha

....

Opp. Party

Mr. D.K. Pani,

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 of Cr.P.C. for grant of anticipatory bail to the petitioner in connection with Nayapalli P.S. Case No.104 of 2022 corresponding to C.T. Case No.1077 of 2022 pending in the Court of learned S.D.J.M., Bhubaneswar for offences punishable under sections 420, 294, 323, 506, 448, 384/34 of the Indian Penal Code.

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

Learned counsel for the petitioners submitted that the informant is the proprietor of Aastik Infra Project Pvt. Ltd. and he has given contract for the construction work to the petitioners' company, namely, Cementy Inracon Pvt. Ltd. and two work orders were issued by the informant company on 5th May 2020 for the projects at Andharua and Kalaranga and after completion of the work, bails were submitted to the informant company for necessary payment, but in order to avoid such payment, the complaint case was filed against the petitioners making false allegations which was referred to the Inspector in-charge of Nayapalli Police Station under section 156(3) of Cr.P.C. and accordingly, the case was registered. Learned counsel further submitted that the offences are triable by Magistrate and therefore, the anticipatory bail application of the petitioners may be favourably considered.

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

Considering the submissions made by the learned counsel for the respective parties, the nature of accusation against the petitioners, the background of the case 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 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.

Issue urgent certified copy as per Rules.

(S.K. Sahoo)
Judge

PKSahoo

