

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.2627 of 2022

1. Susanta Mohapatra

2. Sagar Mohapatra

....

Petitioners

Mr. D. Panigrahi, Advocate

-versus-

State of Odisha

....

Opp. Party

Mr. Arupananda Das,

Addl. Government Advocate

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

**ORDER
05.04.2022**

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 Jodapadar P.S. Case No.66 of 2022 corresponding to G.R. Case No.126 of 2022 pending before the learned Nyayadhikari, Gramnyayalaya, Brahmagiri for commission of alleged offences under sections 342, 366 and 376(2)(n)/34 of the Indian Penal Code.

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

In view of the nature and gravity of accusation against the petitioner no.1 Susanta Mohapatra and after going through the 164 Cr.P.C. statement of the victim placed by the learned counsel for the State, while not inclining to grant anticipatory bail to him, it is observed that in the event he surrenders in the learned Court below and moves for bail, the learned Courts below shall dispose of the same in accordance with law expeditiously. The case records shall be made available to the Courts concerned for disposal of the bail application.

So far as petitioner no.2 Sagar Mohapatra is concerned, considering the submission that he is the father of petitioner no.1 and since no overt act is alleged against him, 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.

Issue urgent certified copy as per Rules.

(S.K. Sahoo)
Judge

PKSahoo

