

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.2633 of 2022

Upendra Khuntia

....

Petitioner

Mr. B. Mohapatra, 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 the learned counsel for the petitioner 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 Colliery P.S. Case No. 103 of 2022 corresponding to G.R. Case No. 512 of 2022 pending in the Court of learned S.D.J.M., Talcher for the commission of the alleged offences punishable under sections 120-B, 411 and 379 of the Indian Penal Code and section 12 of the Odisha Mines and Minerals (Prevention of Theft, Smuggling and Other Unlawful Activities) Act.

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

Considering the submission made by the learned counsel for the petitioner that the petitioner is the registered owner of the truck and he has been falsely implicated in the case basing on the confessional statement of the co-accused before police, the offences are triable by Magistrate and on hearing the learned counsel for the State, this Court directs that in the event of arrest of the petitioner 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.

सत्यमेव जयते

ORISSA

(S.K. Sahoo)
Judge

PKSahoo