

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.2683 of 2022

1. Ganeswar Sethi
2. Prashanta Nayak @
Kalia
3. Diptikanta Nayak @
Bharat
4. Kartika Rout

.... Petitioners

Mr. J.K. Majhi, Advocate

-versus-

State of Odisha

.... Opp. Party

Mr. A.K. Beura,
Addl. Standing Counsel

CORAM:
JUSTICE S.K. SAHOO

ORDER

06.04.2022

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 C.T. Case No.03 of 2021 arising out of Bampada Industrial Area P.S. Case No.02 of 2021 pending in the Court of learned S.D.J.M., Balasore for alleged commission of offences under sections 341/294/323/384/506/34 of the Indian Penal Code.

Perused the F.I.R.

Learned counsel for the State on instruction from the Inspector in-charge of Bampada Industrial Area police station submitted that the petitioners nos.1,2 and 3 are having no criminal antecedents and so far as petitioner no.4 Kartika Rout is concerned, he is having one criminal antecedent.

Considering the submissions made by the learned counsel for the petitioners that the offences are triable by Magistrate and taking into account the nature of accusation against the petitioner no.4, while not inclining to grant anticipatory bail to him, it is observed that in the event the petitioner no.4 Kartika Rout surrenders in the Court below within a period of four weeks from today and moves for bail, the same shall be disposed of as expeditiously as possible by the Courts below in accordance with law. The case records shall be made available to the Court concerned.

So far as petitioners nos.1, 2 and 3 are concerned, considering the submission made by the learned counsel for the petitioners that the offences are triable by Magistrate and the fact that the petitioners nos.1, 2 and 3 are having no criminal antecedents, I am inclined to release them on anticipatory bail. Accordingly, this Court directs that in the event of arrest of petitioner no.1 Ganeswar Sethi, petitioner no.2 Prashanta Nayak @ Kalia and petitioner no.3 Diptikanta Nayak @ Bharat 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.

Urgent certified copy of this order be granted on proper application.

(S.K. Sahoo)
Judge



RKM