

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.2685 of 2022

Subrat Kumar Mahapatra* *Petitioner

Mr. P. Swain, Advocate

-versus-

State of Odisha* *Opp. Party

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

**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. 07 of 2022 corresponding to G.R. Case No. 35 of 2022 pending in the Court of learned S.D.J.M., Talcher for the commission of the alleged offence punishable under section 420 of the Indian Penal Code.

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

Considering the submission made by the learned counsel for the petitioner that the nature of dispute between the parties is basically civil in nature and there are documents to show that the petitioner has made payment to the proprietor

of Poddar Earth Movers Pvt. Ltd. towards the bills raised for utilization of DOZER for overburden pushing dump clear and face clear of the coal bearing area and after going through the documents annexed to the anticipatory bail application and on hearing the learned counsel for the State, I am inclined to release the petitioner on anticipatory bail and accordingly, 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.

(S.K. Sahoo)
Judge

PKSahoo