

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No. 2940 of 2021

**1. P. Sashi Kumar @ Sashi
Kumar Pediredla**

**2. G. Yadaiah @ Gajji
Yadaiah**

.... Petitioners

3. Bibhuti Bhusana Swain

**4. Kumar Yadav Andela @
Andhela Komaraiah**

5. Asi Srinivasa Reddy

Mr.J. Sahoo, Advocate

-versus-

State of Odisha

....

Opp. Party

*Mrs. Susamarani Sahoo
Addl. Standing Counsel*

CORAM:

JUSTICE S.K. SAHOO

ORDER

22.02.2022

Order No.

04.

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 petitioners in connection with Berhampur Sadar P.S. Case No.05 of 2021 corresponding to G.R. Case No.15 of 2021 pending in the Court of learned

S.D.J.M., Berhampur for alleged commission of offences under sections 467/468/471/420/379/411/34 of the Indian Penal Code read with section 12 of the Orissa Mines and Minerals (Prevention of Theft Smuggling & other unlawful Activities) Act.

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

Considering the submission made by the learned counsel for the petitioners that the petitioners are the owners of the offending trucks in which sand were being illegally transported, the nature of accusation and that the offences are triable by Magistrate and after hearing the learned counsel for the State, 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 any facts to the Courts or to the Investigating Officer. Violation of any of the conditions shall entail cancellation of bail.

The ABLAPL is accordingly disposed of.

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

p

(S.K. Sahoo)
Judge

