

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.3354 of 2022

**1. Prasanna Kumar
Barik**

2. Ashok Chakra

3. Kishore Kumar Barik Petitioners

Mr.P.S. Das, Advocate

-versus-

State of Odisha

.... Opp. Party

*Mr.J.P.Patra,
Addl. Standing Counsel*

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

**ORDER
10.05.2022**

Order No.

01. This matter is taken up through Hybrid arrangement (video conferencing/physical mode).

Heard the 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 Keonjhar Town P.S. Case No.273 of 2018 corresponding to G.R. Case No.1397 of 2018 pending in the Court of learned S.D.J.M., Keonjhar for commission of alleged offences under sections 420, 468, 471, 406, 506/34 of the Indian Penal Code.

Learned counsel for the petitioners submitted that relating to the occurrence of the year 2013, one F.I.R. was lodged before the Inspector in-charge of

Keonjhar Town Police Station on 24.09.2016 by the informant Umesh Chandra Jena and on completion of investigation, final report was submitted on 26.11.2016 indicating therein that it is a false case. Learned counsel for the petitioners filed the copy of the F.I.R. and the final report of the said case along with a memo. It is further submitted that the self-same informant has again filed the F.I.R. in the present case on 03.10.2018 repeating the allegations what he has stated in the earlier F.I.R. for which the petitioners are apprehending their arrest. It is further submitted that the offences are triable by Magistrate and therefore, the anticipatory bail application may be favourably considered.

Learned counsel for the State opposed the prayer for anticipatory bail.

Considering the submissions made by the learned counsel for the respective parties, the nature of accusation against the petitioners, the fact that the offences are triable by Magistrate and the earlier case instituted by the informant ended in final report, 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 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