

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.5954 of 2022

Binod Bihari Jena* *Petitioner

Mr. R.K. Mahanta, Advocate

-versus-

State of Odisha* *Opp. Party

*Mr. Arupananda Das,
Addl. Government Advocate*

CORAM:

JUSTICE S.K. SAHOO

ORDER

21.06.2022

Order No.

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

Heard learned counsel for the petitioner and learned counsel for the State.

This is an application under section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in connection with G.R. Case No.766 of 2022 arising out of Khurda Sadar P.S. Case No.79 of 2022 pending in the Court of learned S.D.J.M., Khurda for alleged commission of offences under sections 379/411/34 of the Indian Penal Code read with section 51 of the Odisha Minor Minerals Concession Rules, 2004.

Perused the F.I.R.

Considering the submissions made by the learned counsel for the petitioner that the offences are triable by Magistrate and the petitioner has been falsely entangled in

the case basing on the confessional statement of co-accused and he is the driver of the offending vehicle and on hearing the learned counsel for the State, who submitted that the petitioner is having no criminal antecedent, 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 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