

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.5981 of 2022

**1. Sankar Majhi @ Sanu
Routray**

**2. Nirmal Kumar
Pattanaik**

.... Petitioners

Mr. A.K. Panda, Advocate

-versus-

State of Odisha

.... Opp. Party

Mrs. Susamarani Sahoo,
Addl. Standing Counsel

CORAM:

JUSTICE S.K. SAHOO

ORDER

22.06.2022

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 G.R. Case No.568 of 2022 arising out of Begunia P.S. Case No.92 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 Minerals (Prevention of Theft, Smuggling and

Illegal Mining and Regulation of Possession, Storage, Trading and Transportation) Rules, 2007.

Perused the F.I.R.

Learned counsel for the petitioners submitted that the petitioners are the registered owners of the offending vehicles and the drivers of the vehicles was taken into judicial custody and they have been released on bail and the offences are triable by Magistrate and therefore, the anticipatory bail application of the petitioners may be favourably considered.

Learned counsel for the State, on the other hand, submitted that the petitioners have got one criminal antecedent each. The instruction received by the learned counsel for the State is taken on record.

Considering the submissions made by the learned counsel for the respective parties, the nature of accusation against the petitioners, release of co-accused persons on bail and the fact that the offences are triable by Magistrate, 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

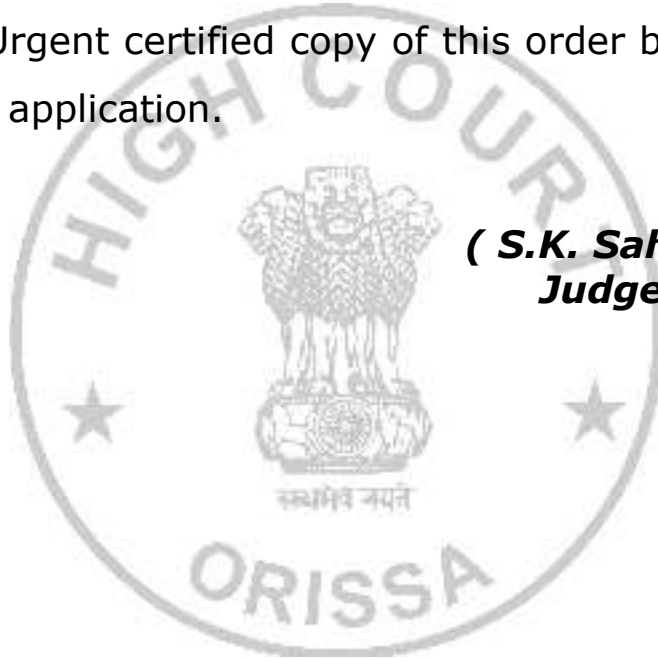
shall make themselves available for interrogation by the I.O. as and when required and they shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to the Investigating 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