

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.6038 of 2022

1. Nirupama Jena

2. Devaraj Swain

....

Petitioners

Mr.J.Sahoo, Advocate

-versus-

State of Odisha

....

Opp. Party

Mr.Rajesh Tripathy,
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 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.778 of 2022 arising out of Khurda Model P.S. Case No.232 of 2022 pending in the Court of learned S.D.J.M., Khurda for alleged commission of offences under sections 353/307/341/506/379/109/34 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 petitioners that the petitioners have been

falsely entangled in the case as because the petitioner no.1 is the registered owner and petitioner no.2 is the driver of the offending vehicle in which laterite stones were transported and on hearing the learned counsel for the State, who on instruction submitted that the petitioners are having no criminal antecedents, 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