

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.6133 of 2022

Dusmanta Behera* *Petitioner

Mr.M.K.Mohapatro, Advocate

-versus-

State of Odisha* *Opp. Party

*Mr. Rajesh Tripathy,
Addl. Standing Counsel*

CORAM:

**JUSTICE S.K. SAHOO
ORDER**

28.06.2022

Order No.

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

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

This is an application under section 438 of Cr.P.C. for grant of anticipatory bail to the petitioner in connection with Kaniha P.S. Case No. 84 of 2022 corresponding to G.R. Case No. 801 of 2022 pending in the Court of learned S.D.J.M., Talcher for the commission of the alleged offences punishable under section 379/34 of the Indian Penal Code and section 12 of the Odisha Mines and Minerals (Prevention of Theft Smuggling Activities) Act.

Perused the first information report annexed to the anticipatory bail application.

Considering the submission made by the learned counsel for the petitioner that the petitioner's implication is based on the confessional statement of the co-accused before the police and the said co-accused persons have already been released on bail and on hearing the learned counsel for the State, 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 any facts to the Courts or to the Investigating Officer.

The ABLAPL is accordingly disposed of.

Issue urgent certified copy as per Rules.

(S.K. Sahoo)
Judge

PKSahoo