

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.6219 of 2022

Sesadeba Behera

....

Petitioner

Mr.G.Muduli, Advocate

-versus-

State of Odisha

....

Opp. Party

*Mr.Manoranjan Mishra,
Addl. Standing Counsel*

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

**ORDER
05.07.2022**

Order No.

02.

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 Khurda P.S. Case No.232 of 2022 corresponding to G.R. Case No.778 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.

Learned counsel for the petitioner submitted that the petitioner has not been named as an accused in the F.I.R. and he is the registered owner of the offending vehicle for which on the basis of confessional statement of co-accused, he has been falsely entangled in the case and, in fact, nobody has sustained any injury in the case.

Learned counsel for the State on instruction submitted that the petitioner is having no criminal antecedent.

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 petitioner and the fact that the involvement of the petitioner is based on confessional statement of co-accused, 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



RKM