

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.6285 of 2022

**1. Biswantha Behera @
Motaklia**

2. Saroj Kumar Behera

3. Bapun Ghadei

.... Petitioners

Mr.J.K. Majhi, Advocate

-versus-

State of Odisha

.... Opp. Party

Mr. Arupananda Das

Addl. Government Advocate

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

**ORDER
12.07.2022**

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 C.T. Case No.229 of 2022 arising out of Balasore Sadar P.S. Case No.78 of 2022 pending in the Court of learned J.M.F.C. (R), Balasore for alleged commission of offences under sections 272/273 and 34 of the Indian Penal Code read with section 52(a) of the Odisha Excise Act.

Perused the F.I.R.

Learned counsel for the State on instruction submitted that the petitioners are having no criminal antecedents.

Considering the submission made by the learned counsel for the petitioners that the petitioners have been falsely entangled in the case basing on the confessional statement of the co-accused before the police and on hearing the learned counsel for the State, who 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 any facts to the Courts or to the Investigating Officer.

Violation of any of the above conditions shall entail cancellation of bail.

The ABLAPL is accordingly disposed of.

Issue urgent certified copy as per Rules.

(S.K. Sahoo)
Judge

P

