

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.6337 of 2022

Amitav Panda

....

Petitioner

Mr. S. Hota, Advocate

-versus-

State of Odisha

....

Opp. Party

*Mr. Manoranjan Mishra,
Addl. Standing Counsel*

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

**ORDER
29.06.2022**

Order No.

01. 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 Banarpal P.S. Case No.168 of 2022 corresponding to G.R. Case No.491 of 2022 pending in the Court of learned J.M.F.C., Banarpal for alleged commission of offences under sections 379/468/471/34 of the Indian Penal Code read with section 12 of the Odisha Mines and Minerals (Prevention of Theft Smuggling Activities) Act, 1989.

Perused the F.I.R.

Learned counsel for the petitioner submitted that the petitioner is the registered owner of the offending vehicle and one co-accused has already been taken into custody and he has released on bail and the offences are triable by Magistrate and therefore, the anticipatory bail application of the petitioner may be favourably considered.

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 offences are triable by Magistrate, 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

