

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.6378 of 2022

**1. Kalia @ Biswanatha
Behera**

**2. Pintu @ Saroj Kumar
Behera**

3. Manmatha Tarei **Petitioners**

Mr. J.K. Majhi, Advocate

-versus-

State of Odisha

Opp. Party

*Mrs. Susamarani Sahoo
Addl. Standing Counsel*

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

**ORDER
12.07.2022**

Order No.

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

Heard the 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 Chandipur P.S. Case No.46 of 2022 corresponding to C.T. Case No.457 of 2022 pending before the learned S.D.J.M., Balasore for commission of alleged offences under sections 272, 273, 34 of the Indian Penal Code and section 52(a)

of Orissa Excise Act, 2008.

Perused the F.I.R. annexed to the anticipatory bail application.

Learned counsel for the State on instruction submitted that petitioner no.3 has got six criminal antecedents. The instruction furnished by the learned counsel for the State be kept on record.

In view of availability of criminal antecedents against petitioner no.3 Manmatha Tarei, while not inclining to grant anticipatory bail to him, it is observed that in the event he surrenders in the learned Court below and moves for bail, the learned Courts below shall dispose of the same in accordance with law expeditiously. The case records shall be made available to the Courts concerned for disposal of the bail application.

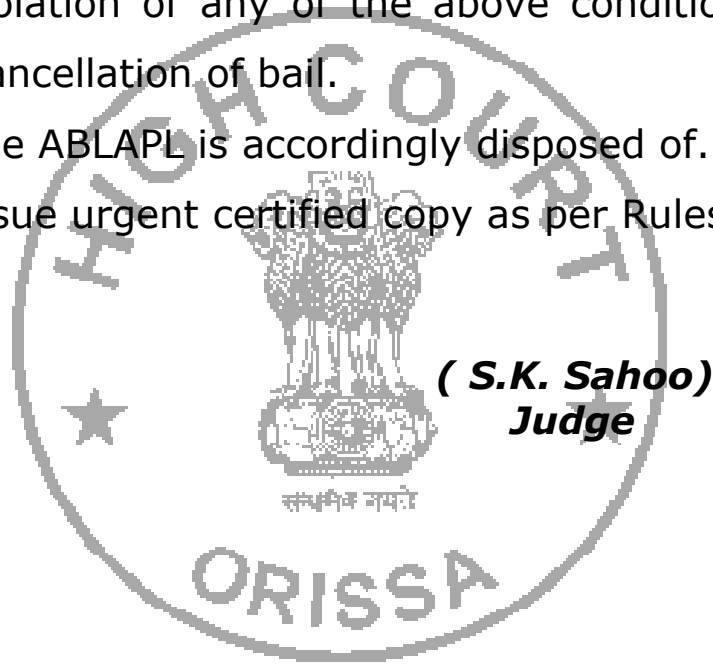
So far as petitioners no.1 Kalia @ Biswanatha Behera and petitioner no.2 Pintu @ Saroj Kumar Behera are concerned, taking into account the nature of accusation and absence of criminal antecedents against them, I am inclined to release petitioners nos.1 and 2 on anticipatory bail and accordingly, this Court directs that in the event of arrest of the petitioners nos.1 and 2 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.



P