

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.6695 of 2022

1. Susanta Behera **Petitioners**
2. Muralidhar Mahakhuda

Mr. S. Mishra, Advocate

-versus-

State of Odisha **Opp. Party**

*Mr. Manoranjan Mishra,
Addl. Standing Counsel*

**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 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 petitioners submitted that the petitioner no.1 is the registered owner of the offending truck bearing registration no.OR-09D-7288 and petitioner no.2 is the registered owner of the offending truck bearing registration no.OR-09F-2407 and they have been falsely entangled in the case and some of the co-accused persons have been released on anticipatory bail by this Court in ABLAPL No.6038 of 2022, ABLAPL No.6044 of 2022, and ABLAPL No.6359 of 2022 and therefore, the anticipatory bail application of the petitioners 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 petitioners and release of the similarly situated co-accused persons on anticipatory bail, 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 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