

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.6698 of 2022

1. Sarat Kumar Rout
2. Dipuna Dalei
3. Binod Kumar Sahoo
4. Sunil Kumar Samal **Petitioners**

Mr. D. 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).

Learned counsel for the State on instruction submitted that the petitioners nos.2 and 4, namely, Dipuna Dalei and Sunil Kumar Samal have been arrested.

In view of such submission, this anticipatory bail application so far as petitioners nos.2 and 4 are concerned has become infructuous and stands disposed of.

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 nos.1 and 3 in connection with C.T. Case No.843 of 2022 arising out of Balichandrapur P.S. Case No.206 of 2022 pending in the Court of learned J.M.F.C., Chandikhole for alleged commission of offences under section 379/34 of the Indian Penal Code read with section 21 of the Mines and Minerals (Development and Regulation) Act, 1957.

Perused the first information report annexed to the anticipatory bail application.

Learned counsel for the petitioners submitted that after being taken into judicial custody, petitioners nos.2 and 4 have already been released on bail and the petitioners nos.1 and 3 are the registered owner of the offending vehicles and therefore, the anticipatory bail application of the petitioners nos.1 and 3 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 nos.1 and 3 and release of the co-accused persons on bail, I am inclined to release the petitioners nos.1 and 3 on anticipatory bail and accordingly, this Court directs that in the event of arrest of the petitioners nos.1 and

3, namely, Sarat Kumar Rout and Sunil Kumar Samal respectively 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