

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.10026 of 2022

Khyamanidhi Rout @ Suriya ***Petitioner***

Mr. Samvit Mohanty, Advocate

-versus-

State of Odisha ***Opp. Party***

Mr. M.K. Mohanty, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

23.08.2022

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Learned counsel for the petitioner submitted that Jagatsinghpur P.S. Case no. 101 of 2022 corresponds to G.R. Case No. 250 of 2022 pending in the file of learned S.D.J.M., Jagatsinghpur, but inadvertently in the cause title of the anticipatory bail application, it has been mentioned as ‘G.R.Case No. 249 of 2022’.
3. In view of such submission, in the cause title in place of ‘G.R.Case No. 249 of 2022’, the same be read as ‘G.R. Case No. 250 of 2022’.
4. Heard the learned counsel for the petitioner and learned counsel for the State.
5. This is an application under section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in connection with Jagatsinghpur P.S. Case No.101 of 2022 corresponding to G.R. Case No. 250 of

2022 pending in the Court of learned S.D.J.M., Jagatsinghpur for commission of alleged offences under sections 147, 148, 455, 294, 323, 307, 353, 379, 395, 171-C, 120-B/149 of the Indian Penal Code read with Section 29 of the Orissa Grama Panchayat Act, 1964 and Sections 135 and 135A of Representation of People Act, 1951 and 1988.

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

7. It is submitted by learned counsel for the petitioner that on similar footing with the present petitioner, other co-accused persons have already been released on bail by this Court in ABLAPL No.2564 of 2022 vide order dated 30.03.2022.

8. Considering the submission made by the learned counsel for the petitioner that during voting in the last Grama Panchayat election, the alleged occurrence has taken place and the allegations are omnibus in nature and after hearing the learned counsel for the State, 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 any facts to the Courts or to the Investigating Officer.

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

9. The ABLAPL is accordingly disposed of.

Urgent certified copy of this order be granted on proper application.

(A.K. Mohapatra)
Judge

Jagabandhu

