

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.10052 of 2022

Benudhar Paltasingh & another ***Petitioners***
Mr.Manas Kumar Chand,Advocate

-versus-

State of Odisha ***Opp. Party***
Mr.M.K.Mohanty, A.S.C..

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

24.08.2022

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioners and the learned Additional Government Advocate. Perused the records.
3. This is an application under Section 438 Cr.P.C. filed by the Petitioners for anticipatory bail.
4. It is submitted by the learned counsel for the Petitioners that the Petitioner No.1 is the owner of the vehicle and Petitioner No.2 is the Manger of the vehicle. He also submits that allegations made in the F.I.R. are false and concocted one and the same has been lodged with an ulterior motive to harass the Petitioners. He further submits that no prima facie case is made out against the Petitioners.
5. Considering the nature of allegations made, gravity of the

offence and the facts and circumstances of the case, I am not inclined to grant anticipatory bail to the Petitioners. However, it is directed that in the event the Petitioners surrender before the learned S.D.J.M. Khurda in G.R.Case No.1093 of 2022 arising out of Khurda Sadar P.S.Case No.117 of 2022 within a period of three weeks from today and move for bail, they shall be released on bail on such terms and conditions as would be deemed just and proper by the learned Magistrate with further conditions that the Petitioners while on bail shall not indulge in similar nature of offence and they shall also cooperate with the investigation and shall appear before the I.O. as and when required. They shall also appear before the trial court on each and every date fixed. They shall also not allow the vehicle in question in such type of illegal activities while on bail. Violation of conditions shall entail cancellation of bail. It is also directed that at the time of releasing the Petitioners on bail, learned court shall direct the Petitioner No.2 to furnish a cash security of Rs.5,000/- (Rupees Five thousand) and the said amount shall be deposited in the name of the court in seisin over the matter in a Nationalised Bank in an interest bearing account and the same shall be subject to the final outcome of the trial.

6. Accordingly, the ABLAPL is disposed of.
7. Issue urgent certified copy of this order as per Rules.

(A.K. Mohapatra)
Judge

