IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.13883 of 2021

1. Kamlesh Rathi
2. Madan Lal Rathi .... ***Petitioners***

Mr.R.L. Pattnaik, Advocate

-versus-

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

Mr.D.K. Pani,
Addl. Standing Counsel

CORAM:
JUSTICE S.K. SAHOO

ORDER

Order No. **07.04.2022**

02. 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 Malkangiri P.S. Case No.474 of 2021 corresponding to G.R. Case No.930 of 2021 pending before the learned S.D.J.M., Malkangiri for commission of alleged offences under sections 120-B, 294-A, 420/34 of the Indian Penal Code and sections 4 and 5 of Prize Chits and Money Circulation Schemes (Banning) Act, 1978.

Learned counsel for the State on instruction submitted that the petitioners are having no criminal antecedents.

Learned counsel for the petitioners submitted that four persons were apprehended at the spot and they disclosed the names of the petitioners and those four persons have already been released on bail and therefore, the anticipatory bail application may be favourably considered.

Learned counsel for the State opposed the prayer for anticipatory bail.

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

Considering the submissions made by the learned counsel for the respective parties, absence of any criminal antecedents against the petitioners, the offences are triable by Magistrate, release of the co-accused persons on bail and on hearing the learned counsel for the State, 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 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.

(S.K. Sahoo)
Judge

PKSahoo

HIGH COURT
सत्यमेव जयते
ORISSA