

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.15508 of 2021

Bhagirathi Mahapatra* *Petitioner

Mr.D.Mohanty, Advocate

-versus-

State of Odisha* *Opp. Party

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

**CORAM:
JUSTICE S.K. SAHOO
ORDER
04.01.2022**

Order No.

01.

This matter is taken up through Hybrid arrangement (video conferencing/physical mode).

Heard learned counsel for the petitioner and learned counsel for the State.

This is an application under section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in connection with Singhadwara P.S.Case No.0094 of 2021 corresponding to G.R.Case No.3440 of 2021 pending before the learned S.D.J.M., Puri for commission of alleged offence under section 379 of the Indian Penal Code.

Learned counsel for the petitioner submits that the offence alleged against the petitioner is triable by Magistrate and in view of the nature of accusation, the prayer for anticipatory bail may be favourably considered.

Learned counsel for the State submits that though the F.I.R. was lodged against unknown persons, but the C.C.T.V. footage indicates about presence of the petitioner in the scene

of occurrence.

Considering the submission made by the learned counsel for the respective parties, nature of accusation against the petitioner and also the fact that the offence is triable by Magistrate, 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.

The ABLAPL is accordingly disposed of.

Issue urgent certified copy as per Rules.

(S.K. Sahoo)
Judge

PKSahoo