

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.15529 of 2021

Sashibhusan Rath* *Petitioner

Mr.P.K. Mishra, 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 Tangi P.S. Case No.69 of 2021 corresponding to G.R. Case No.898 of 2021 pending in the Court of learned J.M.F.C.(R), Cuttack for alleged commission of offence under section 379 of the Indian Penal Code.

Learned counsel for the petitioner submitted that the first information report was lodged against unknown persons and during the course of investigation, the co-accused Mina Ketean Sahoo was

taken into custody and in the meantime he has been released on bail and the petitioner being the driver of the stolen truck, which has already been seized in the meantime, has been falsely entangled in the case 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 submission of the learned counsel for the respective parties, the nature of accusation against the petitioner, release of the co-accused on bail and since 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

