

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.15575 of 2021

Babuni Samantaray* *Petitioner

Mr. N. Sahani, Advocate

-versus-

State of Odisha* *Opp. Party

Mr. A.K. Beura,
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 of Cr.P.C. for grant of anticipatory bail to the petitioner in connection with Nirakarpur P.S. Case No.176 of 2021 corresponding to G.R. Case No.469 of 2021 pending in the Court of learned NGN-cum- J.M.F.C., Tangi for alleged commission of offences under sections 379/411 and 34 of the Indian Penal Code along with section 51 of Odisha Minor and Mineral Concession Rules, 2004.

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

Considering the submissions of learned counsel for the petitioner that the offences are triable by Magistrate and the petitioner's implication in the case is based on the confessional statement of the co-accused before police, the nature of accusation against the petitioner, the nature of punishment prescribed for the offences 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 conditions shall entail cancellation of bail.

The ABLAPL is accordingly disposed of.

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

(S.K. Sahoo)
Judge

