

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.15599 of 2021

1. Madhusudan Pradhan

2. Maheswar Maharana

3. Smruti Ranjan Das

4. Mitu Mahapatra

.... Petitioners

Mr.D.K. Mohapatra, Advocate

-versus-

State of Odisha

.... Opp. Party

Mrs.Susama Rani Sahoo,
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 the 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 Talabania P.S. Case No.137 of 2021 corresponding to G.R.Case No. 3517 of 2021 pending in the Court of learned S.D.J.M., Puri for alleged commission of offences under sections 451, 294, 506/34 of the Indian Penal.

Learned counsel for the petitioners submitted that the petitioners are the Trade Union leaders

whereas petitioner no.1 is the President of Nirman Shramik Union and they submitted a complaint to the Inspector in-charge of Talabania police station alleging against the misbehavior and non-acceptance of their application for registration of construction of workers under the Nirman Shramik Union Coordination Committee and the present case has been foisted against them on account of such complaint by the petitioners. It is further submitted that the offences are triable by Magistrate and the only non-bailable offence is under section 506 of the Indian Penal Code 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. as well as the documents annexed to the anticipatory bail application.

Considering the submission of the learned counsel for the respective parties, the background of the case, and since the offences are triable by Magistrate and the only non-bailable offence is under section 506 of the Indian Penal Code, 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

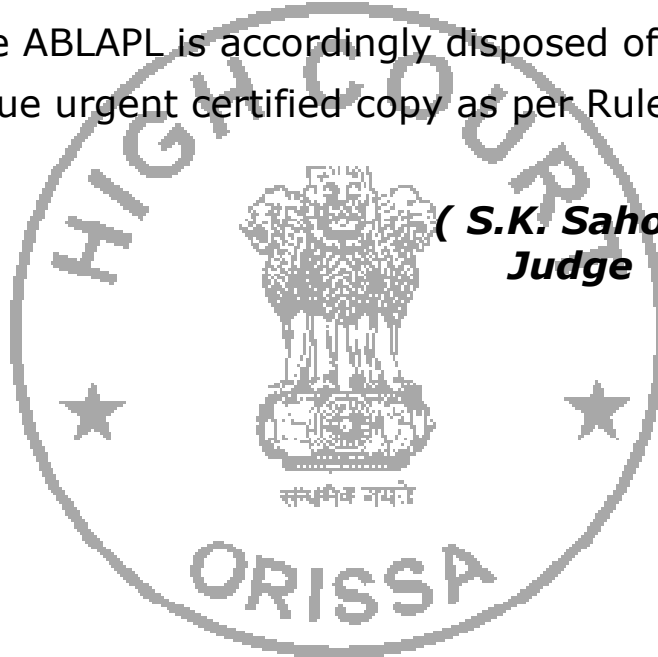
amount to the satisfaction of the arresting officer with further conditions that they shall make themselves available for interrogation by the I.O. as and when required and they shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case 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