

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.15652 of 2021

Prashant Biswal

....

Petitioner

Mr. J. Sahoo, Advocate

-versus-

State of Odisha

....

Opp. Party

*Mr. J.P. Patra,
Addl. Standing Counsel*

CORAM:

JUSTICE S.K. SAHOO

ORDER

04.01.2022

Order No.

02.

This matter is taken up by video conferencing 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.179 of 2021 corresponding to G.R. Case No. 471 of 2021 pending in the Court of learned N.G.N. –cum- J.M.F.C., Tangi for alleged commission of offences under section 379 of the Indian Penal Code.

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

Learned counsel for the petitioner submits that though the first information report was lodged against unknown persons but during course of investigation, one co-accused Satrughana Pradhan was arrested from whose possession iron grill gate was seized and on the basis of the confessional statement of the said co-accused before police, the petitioner has been arrayed as an accused in this case and the said co-accused has been released on bail.

Learned counsel for the State has not disputed the submission made by the learned counsel for the petitioner that the petitioner's implication is based on confessional statement of the co-accused before police.

Considering the submissions of learned counsel for the respective parties, the nature of accusation against the petitioner, release of the co-accused on bail and the offences are 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 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



P