

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.15654 of 2021

1. Madhab Naik

2. Subash Naik

.... **Petitioners**

Mr. P. Panigrahi, 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.

01.

This matter is taken up through Hybrid Arrangement (Video Conferencing/Physical Mode).

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

Learned counsel for the petitioners does not want to press the anticipatory bail application so far as petitioner no.1 Madhab Naik is concerned and accordingly, his anticipatory bail application is disposed of as not pressed.

This is an application under section 438 of Cr.P.C. for grant of anticipatory bail to the petitioner no.2 Subash Naik in connection with Kamakhya Nagar

P.S.Case No.398 of 2021 corresponding to G.R. Case No. 659 of 2021 pending in the Court of learned S.D.J.M., Kamakhya Nagar for alleged commission of offences under sections 465/468/471/420/34 of the Indian Penal Code.

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

Considering the submissions made by the learned counsel for the petitioner no.2 that the case arises out of complaint petition which was referred to the IIC of Kamakhya Nagar police station under section 156(3) of Cr.P.C. and accordingly the case was registered and that the dispute between the parties is basically civil in nature and the offences are triable by Magistrate and on hearing the learned counsel for the State, I am inclined to release the petitioner no.2 on anticipatory bail and accordingly, this Court directs that in the event of arrest of the petitioner no.2 in connection with the aforesaid case, he 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 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

