

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.15680 of 2021

Binod Kumar Keshari @* *Petitioner
Binod Kabadia

Mr.P.K. Pradhan, Advocate

-versus-

State of Odisha* *Opp. Party

Mr. Arupananda Das,
Addl. Government Advocate

CORAM:
JUSTICE S.K. SAHOO

ORDER
05.01.2022

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 Choudwar P.S. Case No.504 of 2021 corresponding to G.R. Case No.2869 of 2021 pending in the Court of learned J.M.F.C.(R), Cuttack for alleged commission of offences under sections 379, 120-B/34 of the Indian Penal Code.

Learned counsel for the petitioner submitted that the main allegation is against the co-accused Kasinath Roy, who has already been released on bail

after his arrest and the petitioner's implication in the case is based on the confessional statement of the co-accused before the police and since the offences are triable by Magistrate, 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, the background of the case, release of the co-accused on bail and the fact that 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 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

