

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.15722 of 2021

1. Jagadish Chandra Das
2. Rohit Kumar Das
3. Jasobanta Das
4. Madhusudan Das
5. Manas Kumar Vaishnav Petitioners

Mr.U. Barik, Advocate

-versus-

State of Odisha Opp. Party

Mr.A.K. Beura,
Addl. Standing Counsel

CORAM:
JUSTICE S.K. SAHOO

ORDER

05.01.2022

Order No.

01. This matter is taken up through Hybrid arrangement (video conferencing/physical mode).

Learned counsel for the petitioners submitted that he does not want to press this anticipatory bail application so far as petitioner no.1 Jagadish Chandra Das, petitioner no.3 Jasobanta Das, petitioner no.4 Madhusudan Das and petitioner no.5 Manas Kumar Vaishnav are concerned.

In view of such submission, this anticipatory bail application so far as petitioner no.1 Jagadish Chandra Das, petitioner no.3 Jasobanta Das, petitioner no.4 Madhusudan Das and petitioner no.5

Manas Kumar Vaishnav stands disposed of.

Heard learned counsel for the petitioner no.2 and learned counsel for the State.

This is an application under section 438 Cr.P.C. for grant of anticipatory bail to the petitioner no.2 in connection with G.R. Case No.62 of 2021 arising out of Chandahandi P.S. Case No.62 of 2021 pending in the Court of learned J.M.F.C., Chandahandi for alleged commission of offences under sections 498-A/302/201/304-B/34 of the Indian Penal Code read with section 4 of the D.P. Act.

Perused the F.I.R.

Learned counsel for the petitioner no.2 submitted that the charge sheet has already been submitted and the allegation against petitioner no.2 Rohit Kumar Das is that he accompanied the dead body of the deceased to the cremation ground and it may be at best a case under section 201 of the Indian Penal Code against him. He placed the F.I.R. as well as the statements of the witnesses.

Learned counsel for the State opposed the prayer for bail.

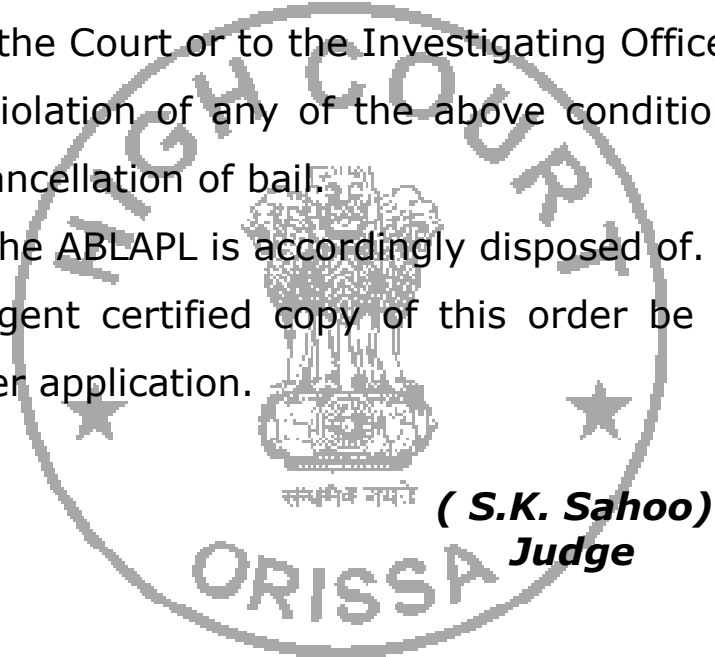
Considering the submissions made by the learned counsel for the respective parties, the nature of accusation against petitioner no.2, I am inclined to release petitioner no.2 on anticipatory bail and accordingly, this Court directs that in the event of arrest of petitioner no.2 Rohit Kumar Das in

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 such facts to the Court or to the Investigating Officer.

Violation of any of the above conditions shall entail cancellation of bail.

The ABLAPL is accordingly disposed of.

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



RKM