

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.15963 of 2021

Muktikanta Palei @ Babuli Petitioner

Mr.B.S. Dasparida, Advocate

-versus-

State of Odisha Opp. Party

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

**CORAM:
JUSTICE S.K. SAHOO**

**ORDER
21.04.2022**

Order No.

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

Heard the 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 O.I.C. Soro Excise Station, Balasore P.R. Case No. 51 of 2021-22 corresponding to 2(a) CC Case No. 228 of 2021 pending in the Court of learned J.M.F.C., Soro for the commission of the alleged offence punishable under section 379/34 of the Indian Penal Code.

Perused the prosecution report annexed to the anticipatory bail application.

Learned counsel for the State has produced the instruction received from O.I.C. Soro Excise Station, Balasore dated 11.11.2021 from which it indicates that though one case

was instituted against the petitioner i.e. Soro P.S. Case No. 401 dated 19.09.2017 under section 436 of the Indian Penal Code, but it was ended in final report for insufficient evidence. The instruction is taken on record.

Considering the submission made by the learned counsel for the petitioner that the offence is 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.

The ABLAPL is accordingly disposed of.

Issue urgent certified copy as per Rules.

(S.K. Sahoo)
Judge

PKSahoo