

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No. 16077 of 2021

**1. Jagadish Chandra Batra
2. Minshu Batra**

.... Petitioners

Mr.R.K. Pati, Advocate

-versus-

State of Odisha

.... Opp. Party

Mr. A. Das,
Addl. Government Advocate
Mr. S. Mishra
(for informant)

CORAM:

JUSTICE S.K. SAHOO

ORDER

18.01.2022

Order No.

01.

This matter is taken up through Video Conferencing Mode.

Heard Mr.R.K. Pati, learned counsel for the petitioners, Mr. Sidhartha Mishra, learned counsel for the informant and Mr. Arupananda Das, learned Addl. Government Advocate for the State.

This is an application under section 438 Cr.P.C. for grant of anticipatory bail to the petitioners in connection with Keonjhar Town P.S. Case No.97 of 2021 corresponding to G.R. Case No.316 of 2021 pending in the Court of learned S.D.J.M., Keonjhar, for

alleged commission of offences under sections 420/120-B/506/34 of the Indian Penal Code.

Perused the F.I.R..

It is submitted by the learned counsel for the petitioners that the case arises out of a complaint petition which was sent to the Inspector-in-charge of Keonjhar Town police station under section 156(3) of Cr.P.C. and accordingly, the P.S. case was registered for commission of offences under sections 420/120-B/506/34 of the Indian Penal Code against four accused persons including the two petitioners. He further submitted that the co-accused Tulu Panda and Bidyaranjan Panda were taken into custody and they have already been released on bail by the learned Addl. Sessions Judge -cum- Special Judge, Vigilance, Keonjhar in Bail Application No.118/363 of 2021 as per the order dated 09.12.2021. He filed the copy of the bail order which is taken on record. It is further submitted that the dispute between the parties is basically civil in nature and the offences are triable by Magistrate and therefore, the bail application of the petitioners may be favourably considered.

Learned counsel for the State opposed the prayer for bail and submitted that so far as petitioner no.1 is concerned, the amount involved is Rs.1,30,000/- and so far as petitioner no.2 is concerned, it is Rs.15,95,000/-.

Learned counsel for the informant also opposed the prayer for bail.

Considering the submission made by the learned counsel for the respective parties, the nature of accusation against the petitioners, the nature of dispute between the parties, release of the co-accused persons on bail and the fact that the offences are triable by Magistrate, I am inclined to release the petitioners on anticipatory bail and accordingly, this Court directs that in the event of arrest of the petitioners in connection with the aforesaid complaint case, they shall be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) each with one surety each for the like amount to the satisfaction of the arresting officer with further conditions that they shall make themselves available for interrogation by the I.O. as and when required and they 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.

Parties may utilize the soft copy of this order

available in the High Court's website or print out thereof at par with certified copy in the manner prescribed vide Office Order dated 7th January 2022.

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(S.K. Sahoo)
Judge

