

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No. 16198 of 2021

- 1. Rajanikanta Sahu**
- 2. Duryodhan Sahoo**
- 3. Gitanjali Sahoo**
- 4. Manjulata Sahoo**

.... ***Petitioners***

Mr.M.K. Mallik, *Advocate*

-versus-

State of Odisha

.... ***Opp. Party***

Mr. A. Das
Addl. Government Advocate

CORAM:

JUSTICE S.K. SAHOO

ORDER

19.01.2022

Order No.

01.

This matter is taken up through Video Conferencing Mode

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

This is an application under section 438 of Cr.P.C. in connection with Rajnagar P.S.Case No.468 of 2021 corresponding to G.R. Case No.558 of 2021 pending in the file of learned Nayadhish Grama Nayalaya -cum- J.M.F.C., Rajnagar for alleged commission of offence under section 380/34 of the Indian Penal Code.

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

Learned counsel for the petitioners submitted that the F.I.R. was lodged against unknown persons and basing on the CCTV footage, co-accused Rabindra Sahoo was taken into custody and he has already been released on bail and the petitioners' implication is based on the confessional statement of the co-accused before police and the offence is triable by the Magistrate and therefore, the anticipatory bail application may be favourably considered.

Learned counsel for the State on instruction submitted that the petitioners have got no criminal antecedent.

Considering the submissions made by the learned counsel for the respective parties, the nature of accusation against the petitioners, release of the co-accused on bail and since the petitioners' implication in the case is based on the confessional statement of the co-accused before police and the fact that the offence is 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 case, they 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 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 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.

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.

(S.K. Sahoo)
Judge