

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.16216 of 2021

Biswambar Dandasena* *Petitioner

Mr. S.K. Joshi, Advocate

-versus-

State of Odisha* *Opp. Party

*Mr. Arupananda Das,
Addl. Government Advocate*

CORAM:

JUSTICE S.K. SAHOO

ORDER

20.01.2022

Order No.

01. This matter is taken up by video conferencing 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 G.R. Case No.586 of 2021 arising out of Kantabanji P.S. Case No.282 of 2021 pending in the Court of learned J.M.F.C., Kantabanji for alleged commission of offences under sections 370/374/420/34 of the Indian Penal Code read with section 25 of the Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979.

Perused the F.I.R.

Learned counsel for the petitioner submitted that due to non-availability of work in the locality, the labourers were voluntarily going to Sikandarabad/ Hyderabad and they were paid Rs.40,000/- (rupees forty thousand) each to perform the work in brick kiln factory and there was no compulsion to them and the ingredients of the offences are not made out and therefore, the anticipatory bail application of the petitioner may be favourably considered.

Learned counsel for the State opposed the prayer for anticipatory bail.

Considering the submissions made by the learned counsel for the respective parties, the nature of accusation against the petitioner, I am inclined to release him on anticipatory bail. 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 such facts to the

Court or to the Investigating Officer.

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

Accordingly, the ABLAPL is 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.

RKM

