

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No. 16270 of 2021

1. Dhananjaya Mishra

2. Radheshyam Podh

....

Petitioners

Mr. S.K. Tripathy, Advocate

-versus-

State of Odisha

....

Opp. Party

Mr.D.K. Pani,

Addl. Standing Counsel

CORAM:

JUSTICE S.K. SAHOO

ORDER

20.01.2022

Order No.

01.

The matter is taken up through Video Conferencing.

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

This is an application under section 438 of Cr.P.C. for grant of anticipatory bail to the petitioners in connection with Belpada P.S Case No. 245 of 2021 corresponding to G.R. Case No. 931 of 2021 now pending in the file of learned S.D.J.M., Patnagarh for alleged commission of offences under section 384/34 of the Indian Penal Code.

Learned counsel for the petitioners submitted

that the F.I.R. was lodged against unknown persons and due to business rivalry between the petitioners and informant, the present case has been foisted against the petitioners at a belated stage. Learned counsel further submitted that the offence is triable by Magistrate and therefore, the anticipatory bail application of the petitioners may be favourably considered.

Learned counsel for the State on verification of the case diary submitted that there are no criminal antecedents against any of the petitioners.

Considering submissions made by the learned counsel for the respective parties, the nature of accusation against the petitioners, absence of any criminal antecedents against any of the petitioners and since 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 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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