

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.16433 of 2021

Debabrata Mishra **Petitioner**

Mr.S.K. Sahu, Advocate

-versus-

State of Odisha **Opp. Party**

*Mr.D.K. Pani,
Addl. Standing Counsel*

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

**ORDER
25.01.2022**

Order No.

01. This matter is taken up through video conferencing.

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 Ainthapali P.S. Case No.644 of 2021 corresponding to G.R. Case No.4682 of 2021 pending before the learned S.D.J.M., Sambalpur for commission of alleged offence under section 420/34 of the Indian Penal Code.

Learned counsel for the petitioner submitted that the main allegation is against the co-accused Pradeep Pradhan, who has taken money from the informant

and the accusation against the petitioner is that he was present at the time of passing of the money. It is further submitted that the ingredients of the offence under section 420 of the Indian Penal Code are not attracted, the offence is triable by Magistrate and therefore, the prayer for anticipatory bail may be favourably considered.

Learned counsel for the State opposed the prayer for bail.

Considering the submissions made by the learned counsel for the respective parties, nature of accusation against the petitioner and the fact that the offences are 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.

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.

(S.K. Sahoo)
Judge

PKSahoo

