

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.16522 of 2021

**1. Tushar Gorda @ Tusara Petitioners
Garada
2. Raja @ Eswar Gorda @
Eswar Garada**

Mr. A. Mishra, Advocate

-versus-

State of Odisha Opp. Party

Smt. Susamarani Sahoo,
Addl. Standing Counsel

CORAM:

JUSTICE S.K. SAHOO

ORDER

25.01.2022

Order No.

01. This matter is taken up by video conferencing mode.

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

This is an application under section 438 Cr.P.C. for grant of anticipatory bail to the petitioners in connection with G.R. Case No.1069 of 2021 arising out of Jeypore Town P.S. Case No.312 of 2021 pending in the Court of learned S.D.J.M., Jeypore for alleged commission of offences under sections 435/436 of the Indian Penal Code.

Perused the F.I.R.

Considering the submission made by the learned counsel for the petitioners that the F.I.R. was lodged against unknown person and though it is mentioned that prior to the occurrence, the petitioners along with some other co-accused persons threatened the informant with dire consequences but the ingredients of the offence under section 436 of the Indian Penal Code will not be attracted and similarly situated co-accused Arun Anka has already been released on bail in ABLAPL No.16160 of 2021 as per order dated 19.01.2022 and in view of the nature of accusation and after hearing the learned counsel for the State, 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 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.

(S.K. Sahoo)
Judge

RKM

