

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.16552 of 2021

Dhananjaya Patra* *Petitioner

Mr. D.K. Sahoo, Advocate

-versus-

State of Odisha* *Opp. Party

Mr. J.P. Patra,
Addl. Standing Counsel

CORAM:

JUSTICE S.K. SAHOO

ORDER

24.01.2022

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.1292 of 2021 arising out of Derabish P.S. Case No.115 of 2021 pending in the Court of learned S.D.J.M., Kendrapara for alleged commission of offence under section 379 of the Indian Penal Code.

Perused the F.I.R.

Learned counsel for the petitioner submitted that the first information report was lodged against one Malaya Ray and during course of investigation,

another co-accused, namely, Tulu @ Biswanath Patra was taken into custody and basing on his confessional statement before police, the petitioner has been arrayed as an accused. He further submitted that the offence is triable by Magistrate, 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 and since the implication of the petitioner basing on the confessional statement of co-accused and the offence is 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 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.

RKM

