

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.16578 of 2021

1. Aditya Patra **Petitioners**
2. Gaurahari Kandara
3. Nanda Dulal Malla
4. Laxman Nudu

Mr. S.K. Nayak, *Advocate*

-versus-

State of Odisha **Opp. Party**

Mr. Arupananda Das,
Addl. Government Advocate

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 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.579 of 2021 arising out of Talachua Marine P.S. Case No.132 of 2021 pending in the Court of learned Gram Nyayalaya, Rajnagar for alleged commission of offences under sections 294/506/507/34 of the Indian Penal Code.

Perused the F.I.R.

Learned counsel for the State submitted that the

notices contemplated under section 41A of Cr.P.C. were issued to the petitioner nos.3 and 4 and they have complied with the terms and conditions of the notices and therefore, there is no apprehension of arrest of the petitioner nos.3 and 4 in connection with the case.

In view of submission made by the learned counsel for the State, the ABLAPL in respect of petitioner nos.3 and 4 is disposed of.

It is further submitted by the learned counsel for the State that notices were also sent to the petitioner nos.1 and 2 but since they were not available, such notices could not be served on them.

Learned counsel for the petitioner submitted that the petitioner nos.1 and 2 will appear before the Investigating Officer and comply with the terms of the notices and cooperate with the investigation.

In view of such submission made by the learned counsel for the petitioners and the nature of accusation, I am inclined to release the petitioner nos.1 and 2 on anticipatory bail and accordingly, this Court directs that in the event of arrest of the petitioner no.1 Aditya Patra and petitioner no.2 Gaurahari Kandara 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 appear before the Investigating Officer on 07.02.2022 and they shall cooperate with the investigation and shall further appear before the Investigating Officer as and

when required but to that effect, written intimation has been served on the petitioner. If the petitioner nos.1 and 2 fails to appear on the date fixed or does not cooperate with the investigation, the prosecuting agency is at liberty to seek appropriate remedy for cancellation of the anticipatory bail order of the petitioner nos.1 and 2.

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

