

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.16724 of 2021

Dibakar Naskar

....

Petitioner

Mr. J. Sahoo, Advocate

-versus-

State of Odisha

....

Opp. Party

*Mr. A.K. Beura,
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 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.297 of 2021 arising out of Raighar P.S. Case No.230 of 2021 pending in the Court of learned N.G.N. -cum- J.M.F.C., Raighar for alleged commission of offences under sections 294/323/341/336/34 of the Indian Penal Code.

Perused the F.I.R.

Learned counsel for the petitioner submitted that though in the formal F.I.R., the offences are

shown to have been under sections 294/323/341/336/34 of the Indian Penal Code, which are all bailable offences but in the bottom of the first information report, it has been mentioned that the case was registered under sections 294/341/323/355/506/354/34 of the Indian Penal Code. Basing on the first information report, it is contended that due to previous dispute between the parties, the case has been foisted against the petitioner and therefore, the anticipatory bail application of the petitioner may be favourably considered.

Learned counsel for the State opposed the prayer for bail.

Considering the nature of accusation against the petitioner and since 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 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

