

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.16840 of 2021

1. Prakash Kumar Sahoo

2. Rakesh Kumar Rout **Petitioners**

Mr.A.N. Pattnaik, Advocate

-versus-

State of Odisha

.... **Opp. Party**

Mr.A.K. Beura,

Addl. Standing Counsel

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

**ORDER
27.01.2022**

Order No.

01.

This matter is taken up through video conferencing.

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 Begunia P.S. Case No. 272 of 2021 corresponding to G.R. Case No.1629 of 2021 pending in the Court of learned S.D.J.M., Khurda for commission of alleged offences under sections 379, 411/34 of the Indian Penal Code and section 51 of the Odisha Minerals (Prevention of Theft, Smuggling and Illegal Mining and Regulation of Possession, Storage, Trading and Transportation) Rules 2007.

Perused the F.I.R. annexed to the anticipatory bail application.

Considering the submission made by the learned counsel for the petitioners that petitioner no.1 is the owner and

petitioner no.2 is the driver of the offending vehicle in which laterite stone was being transported illegally at village Kotalanga and the fact that the offences are triable by Magistrate, 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 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