

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No. 16889 of 2021

Sk. Niyamuddin @ Sk. *Petitioner*
Niyaman

Mr.J. Mohapatra, Advocate

-versus-

State of Odisha Opp. Party

Mr. J.P. Patra

Addl. Standing Counsel

CORAM:

JUSTICE S.K. SAHOO

ORDER

27.01.2022

Order No.

01.

This matter is taken up through 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 Puruna Bazar P.S. Case No.407 of 2021 corresponding to G.R. Case No.3205 of 2021 pending in the Court of learned S.D.J.M., Bhadrak for alleged commission of offences under sections 379/411/34 of the Indian Penal Code.

Considering the submission made by the learned counsel for the petitioner that the petitioner has not been named in the first information report and he has been

falsely entangled in this case on the basis of the confessional statement of co-accused before police and the offences are triable by Magistrate and on hearing the learned counsel for the State, 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.

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**(S.K. Sahoo)
Judge**

