

ABLAPL No.10505 of 2020

2. 30.09.2020

Heard Mr. P.C. Biswal, learned counsel for the petitioners and Mr. Arupa Nanda Das, learned Additional Government Advocate through video conferencing mode.

In this application under Section 438, Cr.P.C., the petitioners have prayed for grant of anticipatory bail as they are apprehending arrest for the alleged commission of offences under Sections 143/269/270/290/353/431/149 I.P.C. read with Section 3 of Epidemic Diseases Act, 1897, Section 56 of Disaster Management Act, 2005, Section 7 of Criminal Law (2nd Amendment) Act, 1983 and Section 4 of Prevention of Damage to Public Property Act, 1984 in connection with Chauliaganj P.S. Case No.282 of 2020 corresponding to G.R. Case No.903 of 2020 pending in the court of learned J.M.F.C., City, Cuttack.

Learned counsel for the petitioners submits that the police is searching for the petitioners in connection with the aforesaid case though they have not been named in the F.I.R on account of omnibus allegation contained therein. He further submits that the petitioners do not have any criminal antecedents. His further submission is that none of the offences alleged to have been committed are punishable with a term of imprisonment exceeding seven years. Lastly, he submits that the petitioners being permanent residents of Sikharpur under Chauliaganj P.S. in the city of Cuttack, there is no chance of their absconding from the process of justice if they are released on bail.

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Considering the submissions made, nature of allegations, the surrounding facts and there being hardly

any material to suggest that the petitioners are likely to abscond, if released on bail, the prayer for anticipatory bail is allowed and accordingly it is directed that in the event of their arrest, they shall be released on bail by executing bail bond of Rs.20,000/- (rupees twenty thousand) each with one solvent surety each for the like amount to the satisfaction of the arresting officer subject to conditions that they shall appear before the I.O. as and when directed by him/her for the purpose of investigation, shall not directly or indirectly induce any person acquainted with the facts of the case and shall not commit similar types of offences. Violation of any of the conditions of the bail shall entail cancellation of the same.

The ABLAPL is accordingly disposed of.

Learned counsel for the 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 Court's Notice No.4587 dated 25.03.2020.

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(Biswajit Mohanty, J.)

