

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.274 of 2022

Mukteswar Paikaray* *Petitioner

Mr. J. Sahoo, Advocate

-versus-

State of Odisha* *Opp. Party

*Mr. Arupananda Das,
Addl. Government Advocate*

CORAM:

JUSTICE S.K. SAHOO

ORDER

31.01.2022

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.03 of 2022 arising out of Nirakarpur P.S. Case No.01 of 2022 pending in the Court of learned N.G.N. -cum- J.M.F.C., Tangi for alleged commission of offences under sections 379/411/34 of the Indian Penal Code read with section 51 of the Orissa Minor Minerals Concession Rules, 2004.

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

bail application.

Learned counsel for the petitioner submitted that the petitioner is the quarry owner and the driver of the offending vehicle was taken into custody and he has already been released on bail and the offences are triable by Magistrate and therefore, the anticipatory bail application of the petitioner may be favourably considered.

Learned counsel for the State opposed the prayer for anticipatory bail.

Considering the submissions made by the learned counsel for the respective parties, the nature of accusation against the petitioner, release of co-accused on bail 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 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.

PKSahoo

