

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.1216 of 2022

Srikanta Samal

....

Petitioner

Ms. Aditi Hota, Advocate

-versus-

State of Odisha

....

Opp. Party

Mr. J.P. Patra,

Addl. Standing Counsel

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

**ORDER
16.02.2022**

Order No.

03. This matter is taken up through Hybrid arrangement (video conferencing/physical 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.228 of 2022 arising out of Talcher P.S. Case No.74 of 2022 pending in the Court of learned S.D.J.M., Talcher for alleged commission of offences under sections 379/120-B of the Indian Penal Code, section 12 of the Odisha Minerals (Prevention of Theft, Smuggling and other Unlawful Activities) Act, 1989 and section 21 of the Mines and Minerals (Development and Regulation) Act, 1957.

Perused the first information report annexed to the anticipatory bail application.

Learned counsel for the State on instruction submitted that the petitioner has got one criminal antecedent of the year 2017 but not under M.M.D.R. Act. He further submitted that though an order was passed while granting interim protection that the petitioner shall make himself available for interrogation by the Investigating Officer as and when required but the petitioner has not appeared.

Learned counsel for the petitioner submitted that since the petitioner has not received any notice from the Investigating Officer for appearance, he has not appeared and he will appear as soon as he receives the notice from the Investigating Officer.

Learned counsel for the petitioner further submitted that the registered owner of the vehicle is one Lipika Dhal and by virtue of a deed of agreement, the possession of the vehicle was handed over on 18.09.2021 and to that effect, she has placed reliance on Annexure-1.

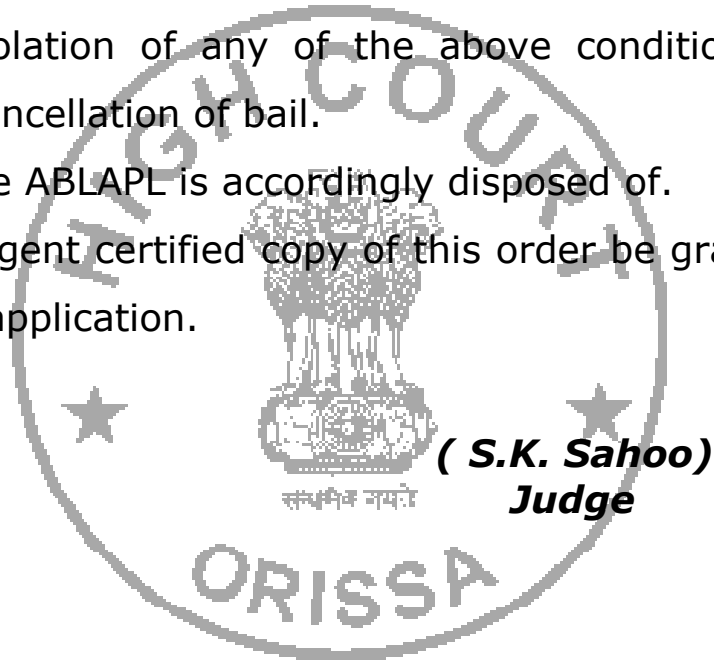
Considering the submissions made by the learned counsel for the respective parties, the nature of accusation against the petitioner, I am inclined to release the petitioner on anticipatory bail and accordingly, this Court directs that in the event of arrest of the petitioner in connection with the aforesaid 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.

Urgent certified copy of this order be granted on proper application.



RKM