

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No. 1227 of 2022

Soumya Ranjan Pandey *Petitioner*

Mr.M. Nayak, Advocate

-versus-

State of Odisha Opp. Party

*Mrs. Susamarani Sahoo
Addl. Standing Counsel*

CORAM:

JUSTICE S.K. SAHOO

ORDER

22.02.2022

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.1022 of 2021 arising out of Baliana P.S. Case No.376 of 2021 pending in the Court of learned J.M.F.C. (O), Bhubaneswar for alleged commission of offences under sections 341/353/332/379/34 of the Indian Penal Code and section 51 of the Orissa Minor Minerals Concession Rules, 2016.

In pursuance of the order dated 08.02.2022, an affidavit has been filed by the Inspector-in-charge of

Baliana police station, Bhubaneswar wherein it is mentioned that by mistake the case has been registered under section 68 of the Orissa Minor Minerals Concessions Rules, 2004 and at the time of submission of charge sheet, in place of such offence, section 51 of the OMMC Rules, 2016 will be added. The affidavit is taken on record.

Perused the F.I.R.

Considering the submission made by the learned counsel for the petitioner that four co-accused persons apprehended at the spot disclosed the name of the petitioner and on that basis, the petitioner has been arrayed as an accused and the offences are triable by Magistrate and since the learned counsel for the State has not obtained instruction on criminal antecedents, if any, 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.

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(S.K. Sahoo)
Judge

