

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.2299 of 2022

Md. Husen @ Husen ***Petitioner***
Mohammad

Mr. R.R. Ray, Advocate

-versus-

State of Odisha ***Opp. Party***

Mrs. Susamarani Sahoo,
Addl. Standing Counsel

CORAM:
JUSTICE S.K. SAHOO

ORDER
22.03.2022

Order No.

01. 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 Khordha Model P.S. Case No.31 of 2022 corresponding to G.R. Case No.104 of 2022 pending in the Court of learned S.D.J.M., Khordha for alleged commission of offences under section 379, 34 of the Indian Penal Code, section 51 of Odisha Minor Minerals Concession Rules, 2016 and section 3(1) of the PDPP Act, 1984.

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

Considering the submission made by the learned counsel for the petitioner that the petitioner is the registered owner of the offending truck in which the laterite stones were being

illegally transported and the fact that the offences are triable by Magistrate and on hearing the learned counsel for the State who submitted that the petitioner is having no criminal antecedent, 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 any facts to the Courts 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.

(S.K. Sahoo)
Judge