

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.3059 of 2022

Basant Mahanta

....

Petitioner

Mr.P.S. Das, Advocate

-versus-

State of Odisha

....

Opp. Party

Mr.A.K. Beura,

Addl. Standing Counsel

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

ORDER

12.05.2022

Order No.

02.

This matter is taken up through Hybrid arrangement (video conferencing/physical mode).

Heard the 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 petitioners in connection with Offence Report No.100D of 2021-22 corresponding to 2(b) C.C. Case No.04 of 2022 pending in the Court of learned S.D.J.M., Keonjhar for commission of alleged offences under sections 27(2)(a) and 27(3)(d) of Odisha Forest Act, 1972 and section 9 of the Wildlife (Protection) Act, 1972.

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

Learned counsel for the State has produced

the written instruction dated 12.05.2022 received from the Divisional Forest Officer, Keonjhar Wildlife Division, Anandapur from which it appears that one co-accused Baikuntha Dehury has been arrested in connection with this case. The written instruction is taken on record.

Learned counsel for the petitioner on instruction submitted that the said co-accused has already been released on bail. However, from the instruction received by the learned counsel for the State, it does not appear that the petitioner has got any criminal antecedent.

Be that as it may, in view of the nature of accusation against the petitioner, while not inclining to grant anticipatory bail to the petitioner, liberty is granted to him to surrender and move for bail in the Court below within a period of four weeks from today in the event of which the learned Courts below shall dispose of the same in accordance with law expeditiously and the claim of parity with the co-accused, who is stated to have been released on bail, shall be taken into account in accordance with law. The case records shall be made available to the Courts concerned for disposal of the bail application.

The ABLAPL stands disposed of.

A free copy of the order be handed over to the learned counsel for the State.

Issue urgent certified copy as per Rules.

(S.K. Sahoo)
Judge

P

