

**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**ABLAPL No. 3455 of 2022**

***Amar Barik***

*....*

***Petitioner***

*Mr. A.K. Sahoo, Advocate*

*-versus-*

***State of Odisha***

*....*

***Opp. Party***

*Mr. D.K. Pani,  
Addl. Standing Counsel*

**CORAM:**

**JUSTICE S.K. SAHOO**

**Order No.**

**ORDER**

**17.05.2022**

01. 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 petitioner in connection with C.T. Case No.508 of 2021 arising out of Barkote P.S. Case No.260 of 2021 pending in the Court of learned S.D.J.M., Deogarh for alleged commission of offences under section 379/34 of the Indian Penal Code read with section 21 of the Mines and Minerals (Development and Regulation) Act, 1957.

Perused the F.I.R.

Learned counsel for the petitioner submitted that the first information report was lodged against one Tikeswar Sahu but since the petitioner is the registered owner of the JCB bearing registration no.OR17K-0620 which was utilized for lifting the iron ore, he has been falsely entangled in the case and therefore, the anticipatory bail application of the petitioner may be favourably considered.

Learned counsel for the State on instruction submitted that the petitioner is having no criminal antecedent.

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.

**( S.K. Sahoo )**  
**Judge**

RKM

