

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.3929 of 2022

Sagar Sahoo and another ***Petitioners***
Mr. B.B. Routray, Advocate
State of Odisha ***Opp. Party***
Mr. S. Patra, A.S.C.
-versus-

CORAM:

JUSTICE A.K. MOHAPATRA

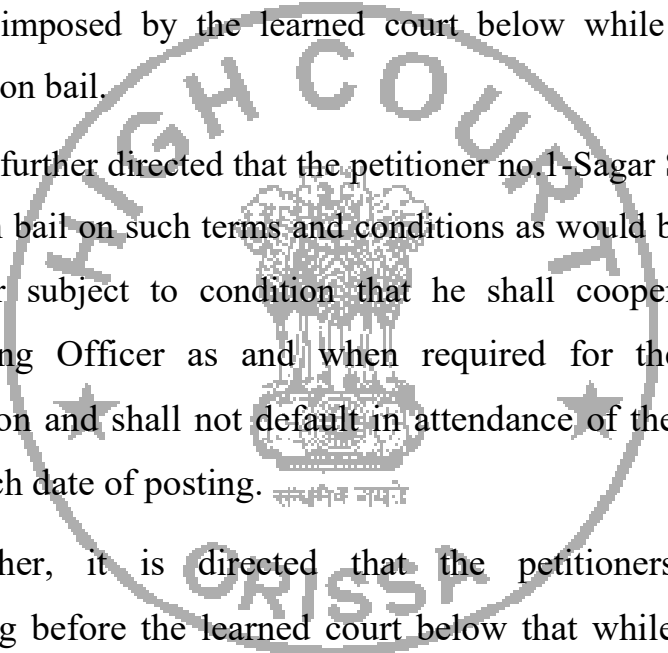
ORDER

25.08.2022

Order No.

- 02.
1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
 2. Heard learned counsel for the petitioners and learned Additional Standing Counsel for the State.
 3. This is an application under Section 438, Cr.P.C. filed by the petitioners for anticipatory bail.
 4. The petitioners are seeking pre-arrest bail in connection with G.R. Case No.706 of 2022, arising out of Talcher P.S. Case No.210 of 2022 pending in the court of learned S.D.J.M., Talcher for commission of offence punishable under Sections 120-B/379, I.P.C. read with Section 51 of Orissa Minerals Concession Rules, 2016.
 5. It is submitted by learned counsel for the petitioners that both the petitioners are owners of the vehicles and they have been falsely implicated in this case.
 6. Considering the nature of allegation, gravity of offence and the facts of the case, I am not inclined to grant anticipatory bail to the

petitioners. However, it is directed that in the event the petitioners surrender and move an application for bail before the learned court in seisin over the matter within a period of three weeks from today, petitioner no.2-Milu Behera shall be released on bail on such terms and conditions as would be deemed just and proper subject to condition that he shall furnish cash security of Rs.5,000/- (rupees five thousand) with further conditions that the petitioner no.2-Milu Behera shall cooperate with the Investigating Officer as and when required for the purpose of investigation and shall not default in attendance of the court during trial on each date of posting besides other conditions would be imposed by the learned court below while releasing the petitioners on bail.

7. It is further directed that the petitioner no.1-Sagar Sahoo shall be released on bail on such terms and conditions as would be deemed just and proper subject to condition that he shall cooperate with the Investigating Officer as and when required for the purpose of investigation and shall not default in attendance of the court during trial on each date of posting. 

8. Further, it is directed that the petitioners shall give undertaking before the learned court below that while releasing on bail, he will ensure that the vehicles will not involve in similar nature of offences failing which this order shall stand automatically revoked.

Violation of any of the terms and conditions shall entail cancellation of bail.

9. It is further directed that the bail granted to the petitioner no.1-Sagar Sahoo is subject to the condition that learned court below shall verify whether the petitioner no.1 has any criminal antecedents of

similar nature. In the event it is found that the petitioners have any criminal antecedents of similar nature, this bail order shall automatically stand revoked.

10. Accordingly, the ABLAPL is disposed of.

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

(A.K. Mohapatra)
Judge

Jagabandhu

