

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL NO.4558 OF 2022

Manoj Behera

.... Petitioners

Mr. B.B. Routray, Advocate

-versus-

State of Odisha

.... Opposite Party,

Mr. G.N.Rout, ASC.

CORAM:

MR. JUSTICE D.DASH

ORDER

20.05.2022

Order No.

01. 1. This matter is taken up through hybrid arrangement (virtual/physical) mode.
2. The Petitioner having been implicated in connection with Kaniha P.S. Case No.84 of 2022 corresponding to G.R. Case No.801 of 2022 registered for alleged commission of offence under Sections- 379/34, I.P.C. read with 12 of the Orissa Mines & Minerals (Prevention of Theft Smuggling Activities) Act, 1989, pending on the file of learned S.D.J.M., Talcher has filed this application under section-438 of the Cr.P.C. for grant of anticipatory bail in the above mentioned case.
3. Considering the submissions made and viewing the materials on record as also other surrounding circumstances; while being not inclined to grant of anticipatory bail to the Petitioner, this application is disposed of with the observation that in the event the Petitioner surrenders before the Court in seisin of the aforesaid case and moves for his release on bail, the same shall be considered on its own merit and disposed of in accordance with law so as to enable the Petitioner to approach the next higher forum early in case necessity so arises.

The case record(s) be made available at the cost of the Petitioner.

4. The ABLAPL is accordingly disposed of.
Issue urgent certified copy as per rules.

**(D. Dash),
Judge.**

Himansu

