

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.7091 of 2022

Sudarsan Nayak

.... ***Petitioner***
Mr. Ronit Ghosh, Advocate

-versus-

State of Odisha

.... ***Opposite Party***
Mr. Shashank Patra, A.S.C.

**CORAM:
JUSTICE A.K.MOHAPATRA**

ORDER
29.07.2022

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioner and learned Addl. Standing Counsel for the State.
3. This is an application under Section 438, Cr.P.C. filed by the Petitioner for anticipatory bail, involving offences punishable under Sections 379/34, I.P.C. and Section 12 of the Orissa Mines & Minerals (Prevention of Theft, Smuggling Activities) Act, 1989.
4. Considering the nature of allegation, gravity of the offence and the facts of the case, although I am not inclined to grant anticipatory bail to the Petitioner, however it is observed that, in the event the Petitioner surrenders before the learned S.D.J.M., Talcher in G.R. Case No.1222 of 2022 corresponding to Talcher P.S. Case No.371 of 2022 within a period of three weeks from today, the Petitioner shall be released on bail on such terms and conditions as the learned Magistrate may deem just and proper in the facts and

circumstances of the case, but subject to verification of Criminal Antecedents of the Petitioner. While imposing conditions for bail, learned Magistrate shall also add the further conditions that the Petitioner shall not indulge in any other criminal activities of similar nature. Violation of any of the conditions shall entail cancellation of bail of the Petitioner, and it is open for the learned trial court to proceed against the Petitioner in accordance with law.

5. The ABLAPL is disposed of accordingly.
6. Urgent certified copy of this order be granted as per rules.



S.K.Parida