

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.7562 of 2022

Premanenda Sahoo

.... ***Petitioner***
Mr. A.S. Paul, Advocate

-versus-

State of Odisha

.... ***Opp. Party***
Mr. S. Mishra, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

21.07.2022

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the petitioner and learned Additional Standing Counsel for the State.
3. This is an application under Section 438, Cr.P.C. filed by the petitioner for anticipatory bail.
4. The petitioner seeking pre-arrest bail in connection with G.R. Case No.815 of 2022, arising out of Khurda P.S. Case No.246 of 2022 pending in the court of learned S.D.J.M., Khurda for commission of offence punishable under Sections 379/34, I.P.C.
5. It is submitted at the Bar that the petitioner is the owner of the truck which was found to be loading stones unauthorizedly and that the petitioner has been arrayed as an accused in the present case. It is further submitted that the petitioner does not have any criminal antecedents.
6. Considering the nature of allegation, gravity of offence and the fact of the case, I am not inclined to grant anticipatory bail to the

petitioner. However, it is directed that in the event the petitioner surrender before the learned court in seisin over the matter within a period of three weeks from today in the aforesaid case, he shall be released on bail on such terms and conditions as would be deemed just and proper.

7. It is further directed that the bail granted to the petitioner is subject to the condition that learned court below shall verify whether the petitioner has any criminal antecedents of similar nature. In the event it is found that the petitioner has any criminal antecedents, this bail order shall automatically stand revoked.

8. Accordingly, the ABLAPL is disposed of.

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

Jagabandhu

