

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.7669 of 2022

Prakash Chandra Biswal

....

Petitioner

Mr. S.K. Bhanjadeo, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. S. Patra, 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 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 379/411/34, I.P.C. and Section 51 of Odisha Minerals (Prevention of Theft, Smuggling & Illegal Mining & Regulation of Possession, Storage, Trading and Transportation Rules, 2007).
4. Learned counsel for the Petitioner submits that on the basis of same date of transaction, two F.I.Rs. have been lodged against the Petitioner. He further submits that the Petitioner is the owner of the vehicle used in the alleged crime.
5. Considering the nature of allegation, gravity of the offence and the facts of the case, 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., Khurda in G.R. Case No.902 of 2022 corresponding to Begunia P.S. Case No.133 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, subject to verification of criminal antecedents against the Petitioner. If it is found that there are more than two criminal antecedents against the Petitioner, then this bail order shall stand automatically revoked.

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

(A.K. Mohapatra)
Judge

S.K.Parida

