

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.8222 of 2022

Sanjaya Kumar Muduli @ Sanjaya Muduli ***Petitioner***

Mr. P.R. Mishra, Advocate

-versus-

State of Odisha ***Opp. Party***
Mr. S. Mishra, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

27.07.2022

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 is seeking pre-arrest bail in connection with G.R. Case No.863 of 2022, arising out of Dhenkanal Town P.S. Case No.394 of 2022 pending in the court of learned S.D.J.M., Dhenkanal for commission of offence punishable under Sections 379/411/34, I.P.C.
5. It is submitted learned counsel for the petitioner that the petitioner is the owner of the Truck, which was carrying illegally coal and he has been falsely implicated in the present case. It is further submits by learned counsel for the petitioner that the

petitioner does not have any criminal antecedent.

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. It is further directed that the petitioner shall not involve in any similar nature of offence while on bail.

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.

(A.K. Mohapatra)
Judge