

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.8272 of 2022

Umakanta Ghadei & Others ***Petitioners***
Mr. B.S. Dasparida, Advocate

-versus-

State of Odisha ***Opposite Party***
Mr. P.K. Rout, A.G.A.

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 Petitioners and learned Addl. Standing Counsel for the State.
3. This is an application under Section 438, Cr.P.C. filed by the Petitioners for anticipatory bail, involving offences punishable under Sections 188/379, I.P.C. read with Section 50 of OMMC Rules, 2004.
4. Learned counsel for the Petitioners submits that the Petitioners are lessee in respect of the quarry in which quarrying activities were going on. He further submits that there was Section 144, Cr.P.C. order by the Court, which was within the knowledge of the Petitioners. Learned counsel for the Petitioners further submits that Lease of the Quarry has been extended by this Court vide order dated 31.05.2021 passed in W.P.(C) No.36082 of 2020 and therefore

quarrying activities were being done well within the extended period of the lease.

5. Considering such submissions and the facts of the case, this Court directs that, in the event of arrest, the Petitioners shall be released on bail by the Arresting Officer in connection with Soro P.S. Case No.311 of 2022 corresponding to C.T. Case No.672 of 2022 pending in the Court of learned J.M.F.C., Soro, on such terms and conditions as deem just and proper in the facts and circumstances of the case.

6. The ABLAPL is disposed of accordingly.

7. Urgent certified copy of this order be granted as per rules.

(A.K. Mohapatra)
Judge

