

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.9061 of 2022

Anita Pradhan

....

Petitioner

Mr. B.B. Routray, Advocate

-versus-

State of Odisha

....

Opp. Party

Mr. P.K. Rout, A.G.A.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

03.08.2022

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.327 of 2022, arising out of Industrial NISHA P.S. No.69 of 2022 pending in the court of learned J.M.F.C., Chhendipada for commission of offence punishable under Sections 379/411/34, I.P.C. read with Section 12 of Orissa Mines and Minerals (Prevention of Theft Smuggling Activities, 1989 and Section 21 of the Mines and Minerals Regulation and Development Act, 1957.
5. It is submitted learned counsel for the petitioner that the petitioner 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 surrenders 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 of similar nature, 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