

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.9343 of 2022

Dusmanta Kumar Naik

.... ***Petitioner***
Mr. S.R. Rout, Advocate

-versus-

State of Odisha

.... ***Opp. Party***
Mr. M.K. Mohanty, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

08.08.2022

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.788 of 2021, arising out of Kishorenagar P.S. Case No.147 of 2021 pending in the court of learned S.D.J.M., Athmallik for commission of offence punishable under Sections 379/511, I.P.C. read with Section 15(2) of the Petroleum Act.
5. 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, the petitioner shall be released on bail on such terms and conditions as would be

deemed just and proper.

6. 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.

7. Further, it is directed that the petitioner shall given an undertaking before the learned court below that while releasing on bail, the petitioner will not involve in similar nature of offences failing which this order shall automatically revoked.

Violation of any of the terms and conditions shall entail cancellation of bail.

8. Accordingly, the ABLAPL is disposed of.

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

Jagabandhu

