

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.9599 of 2022

Debasish Rout

Petitioner

....
Mr.S.R.Mulia, Advocate

-versus-

State of Odisha

.... ***Opposite Party***

Mr.S.Patra, A.S.C.

**CORAM:
JUSTICE A.K.MOHAPATRA**

ORDER

10.10.2022

Order No.

05. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioner, learned Addl. Standing Counsel for the State. Perused the records.
3. This is an application under Section 438, Cr.P.C. filed by the Petitioner for anticipatory bail, involving offence punishable under Sections 379, 406, 419, 420, 109/34 of the Indian Penal Code read with Section 12 of Orissa Minerals (Prevention of Theft Smuggling and other Unlawful Activities) Act, 1988.
4. Considering the seriousness of the allegation, gravity of the offence and the facts of the case, although I am not inclined to grant anticipatory bail to the Petitioner, however it is observed that, in the event the Petitioner surrenders and moves for bail before the learned J.M.F.C.(R), Cuttack in G.R.Case No.2216 of 2022 arising out of Jagatpur P.S. Case No.364 of 2022 within a period of three weeks from today, he shall be released on bail on such terms and conditions

as the learned Magistrate may deem just and proper in the facts and circumstances of the case, but subject to verification of criminal antecedents of similar nature.

While imposing conditions for bail, learned Magistrate shall also impose the following additional conditions –

- (i) The Petitioner shall appear before the I.O. and shall cooperate with the investigation as and when required by the I.O.;
- (ii) He shall not indulge in similar nature of criminal offences while on bail.

Violation of any of the conditions shall entail cancellation of bail of the Petitioner.

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

(A.K. Mohapatra)
Judge