

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.9863 of 2022

Tikeswar Naik and another ***Petitioners***
Ms. Rajalaxmi Biswal, Advocate
-versus-
State of Odisha ***Opp. Party***
Mr. S. Patra, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

17.08.2022

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the petitioners and learned Additional Standing Counsel for the State.
3. This is an application under Section 438, Cr.P.C. filed by the petitioners for anticipatory bail.
4. The petitioners are seeking pre-arrest bail in connection with P.R. Case No.01 of 2022-23 of Khamar Forest Range, arising out of 2(b) CC Case No.06 of 2022 pending in the court of learned S.D.J.M., Pallahara for commission of offence punishable under Sections 4/12/14 of Orissa Timber & other Forest Produce Transit Rule, 1980 and Punishable U/R 21 of the said rule.
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 petitioners. However, it is directed that in the event the petitioners surrender before the learned court in seisin over the matter within a period of three weeks from today in the aforesaid case, they shall be

released on bail on such terms and conditions as would be deemed just and proper with further condition that they shall not indulge similar criminal activities while on bail.

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

7. It is further directed that the bail granted to the petitioners is subject to the condition that learned court below shall verify whether the petitioners have any criminal antecedents of similar nature. In the event it is found that the petitioners have 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

Jagabandhu

