

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.9890 of 2022

Lokanath Bhol @ Kalia Bhol **Petitioner**
Mr. S.K. Bhanjadeo, Advocate

-versus-

State of Odisha **Opposite Party**
Mr. M.K. Mohanty, A.S.C.

CORAM:
JUSTICE A.K.MOHAPATRA

ORDER
22.08.2022

Order No.

02. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioner and learned Addl. Standing Counsel for the State.
3. This is an application under Section 438, Cr.P.C. filed by the Petitioner for anticipatory bail, involving offence punishable under Sections 379/120-B/34, I.P.C. and Section 12 of the Orissa Mines & Minerals (Prevention of Theft Smuggling Activities Act, 1989) and Section 51 of Odisha Miner Minerals Concession Rules, 2004.
4. Considering the nature 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 S.D.J.M., Khurda in G.R. Case No.1242 of 2022 corresponding to Jankia P.S. Case No.273 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 antecedent of the Petitioner. If it is found that there is more than one criminal antecedent of similar nature against the Petitioner, then this bail order shall not be given effect to.

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

(i) The Petitioner shall cooperate in the investigation by appearing before the I.O. as and when required;

5. The ABLAPL is disposed of accordingly.

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

(A.K. Mohapatra)
Judge

S.K.Parida