

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.10090 of 2022

Ajabul Khan

....

Petitioner

Mr. Jyotirmaya Sahoo, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. M.K. Mohanty, A.S.C.

CORAM:

JUSTICE A.K.MOHAPATRA

ORDER

25.08.2022

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioner and learned 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 379/411/34, I.P.C. read with Section 51 of Orissa Minor Minerals Concession Rules.
4. Considering the nature of the allegation, gravity of the offence and 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 N.G.N.-cum-J.M.F.C., Tangi in G.R. Case No.391 of 2022 corresponding to Nirakarpur P.S. Case no.147 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 against 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 automatically stand revoked.

While imposing conditions for bail, learned Magistrate shall also impose the conditions whereby the Petitioner shall not indulge in similar offence again, while on bail, and he shall not allow his vehicle in question to be used in such illegal activities any further.

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