

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.10839 of 2022

***Kalu Jagadev @ Jaynarayan
Jagadev***

....

Petitioner

Mr. P.C. Jena, Advocate

-versus-

State of Odisha

....

Opp. Party

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

CORAM:

JUSTICE A.K. MOHAPATRA

**ORDER
12.09.2022**

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.1389 of 2022, arising out of Satyabadi P.S. Case No.192 of 2022 pending in the court of learned S.D.J.M., Puri for commission of offence punishable under Sections 379/34, I.P.C. read with Section 51 of Orissa Minor Mineral Concession Rules, 2016.
 5. It is submitted by learned counsel for the petitioner that the petitioner has valid transit pass for transportation of laterite stone.
 6. 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 and moves an application for bail before the learned court in seisin over the matter within a period of three weeks from today in the aforesaid case, petitioner shall be released on bail on such terms and conditions as would be deemed just and proper.

7. 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 valid transit pass for transportation of laterite stone. In the event it is found that the petitioner has no valid pass for transportation of laterite stone, 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

