

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.10936 of 2022

Sanjaya Paikaray @ Dhadu and others ***Petitioners***

Ms. Chandana Mishra, Advocate
-versus-

State of Odisha ***Opp. Party***
Mr. S. Mishra, 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 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 G.R. Case No.778 of 2022, arising out of Khurda P.S. Case No.232 of 2022 pending in the court of learned S.D.J.M., Khurda for commission of offence punishable under Section 353/307/341/506/379/109/34, I.P.C. read with Section 51 of Orissa Minor Minerals Concession Rules, 2004.
5. Considering the nature of allegation, gravity of offence and the facts of the case, I am not inclined to grant anticipatory bail to the petitioner no.2, 3 and 4. However, it is directed that in the event the petitioner no.2, 3 and 4 surrender and move an application for bail before the learned court in seisin over the matter within a period of

three weeks from today, they shall be released on bail on such terms and conditions as would be deemed just and proper with further conditions that they shall not indulge in similar nature of criminal activities and they shall cooperate with the Investigating Officer as and when required for the purpose of investigation besides other conditions would be imposed by the learned court below while releasing the petitioners on bail. Violation of any of the terms and conditions shall entail cancellation of bail.

6. It is further directed that the petitioner no.1-Sanjaya Paikaray @ Dhadu shall be released on bail subject to condition that he shall furnish cash security of Rs.5,000/- (rupees five thousand) with further conditions that while on bail, he shall not indulge similar nature of criminal activities and he shall cooperate with the Investigating Officer as and when required for the purpose of investigation besides other conditions would be imposed by the learned court below while releasing the petitioner on bail.

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

7. Accordingly, the ABLAPL is disposed of.

Urgent certified copy of this order be granted on proper application.

(A.K. Mohapatra)
Judge