

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.11035 of 2022

Ramesh Chandra Mohanty ***Petitioner***
Mr. Panchanan Panigrahi, Advocate
-versus-

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

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

13.09.2022

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.752 of 2022, arising out of Colliery P.S. Case No.157 of 2022 pending in the court of learned S.D.J.M., Talcher for commission of offence punishable under Section 420/468/471, I.P.C. read with Section 12 of the Orissa Mineral (Prevention) of Theft Smuggling and other unlawful Activities Act.
5. It is submitted by learned counsel for the petitioner that petitioner has one criminal antecedent of similar nature. It is further submitted by learned counsel for the petitioner that the name of the petitioner has not found place in the F.I.R. and on the statement of the co-accused, the petitioner has been implicated in the present case.

6. 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. 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, he shall be released on bail on such terms and conditions as would be deemed just and proper 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