

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.11462 of 2022

Arjuna Behera and another

Petitioners

....
Mr. Kabiraj Pradhan, Advocate

-versus-

State of Odisha

.... ***Opposite Party***

Mr. S.Patra, A.S.C.

**CORAM:
JUSTICE A.K.MOHAPATRA**

**ORDER
19.09.2022**

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioners, learned Addl. Standing Counsel for the State. Perused the records.
3. This is an application under Section 438, Cr.P.C. filed by the Petitioners for anticipatory bail, involving offence punishable under Sections 379/34 of the Indian Penal Code read with Section 51 of Odisha Minor Mineral Concession Rules, 2004.
4. Considering the seriousness of the allegation, gravity of the offence and the facts of the case, although I am not inclined to grant anticipatory bail to the Petitioners, however it is observed that, in the event the Petitioners surrender and move for bail before the learned NGN-cum-JMFC, Tangi in G.R.Case No.484 of 2022 arising out of Tangi P.S. Case No.501 of 2022 within a period of three weeks from today, they 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 of similar nature.

5. The ABLAPL is disposed of accordingly.
6. Urgent certified copy of this order be granted as per rules.

(A.K. Mohapatra)
Judge

RKS

