

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.11782 of 2022

***Ashok Mehera @ Ashok Kumar
Mehera***

....

Petitioner

Mr. Rama Chandra Mohanty, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. Shashanka Patra, A.S.C.

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

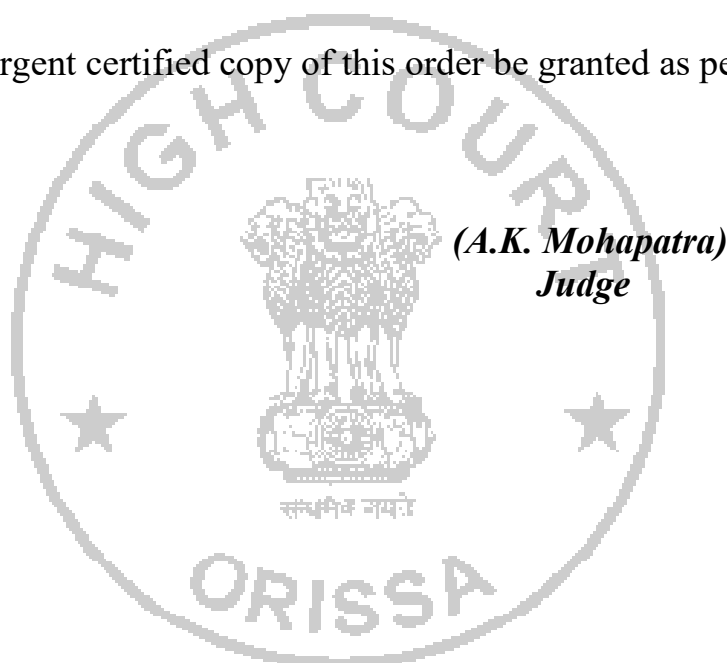
**ORDER
21.09.2022**

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioners and learned Addl. Standing Counsel for the State.
3. This is an application under Section 438, Cr.P.C. filed by the Petitioners for anticipatory bail, involving offence punishable under Sections 379/411/34, I.P.C. read with Sections 27/46/85 of Orissa Forest Act and Section 21 of O.T.T. Rules, 1980.
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 Petitioner, however it is observed that, in the event the Petitioner surrenders and moves for bail before the learned S.D.J.M., Athagarh in C.T. Case No.419 of 2005 corresponding to Athagarh P.S. Case No.165 of 2005 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 the Criminal Antecedents of 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 stand automatically revoked. The Case Diary and Criminal Antecedent Report of the Petitioners be made available to the learned Magistrate for consideration of the bail application of the Petitioner on the date of his surrender.

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



S.K.Parida