

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.11804 of 2022

Dinesh Kumar Yadav

....

Petitioner

Mr. Jyotirmaya Sahoo, 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 Petitioner and learned Addl. Standing Counsel for the State.
3. This is an application under Section 438, Cr.P.C. filed by the Petitioner for anticipatory bail, involving offence punishable under Sections 379/34, I.P.C. and Section 51 of Orissa Minor Minerals Concession Rules.
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 N.G.N.-cum-J.M.F.C., Tangi in G.R. Case No.459 of 2022 corresponding to Tangi P.S. Case No.484 of 2022 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 the Petitioner furnishing cash security of Rs.5,000/- (Rupees Five Thousand) to the satisfaction of learned court in seisin over the matter.

However, while imposing conditions for bail, learned Magistrate shall also impose the following additional conditions –

- (i) The Petitioner shall appear before the I.O. and shall cooperate with the investigation as and when required by the I.O.;
- (ii) He shall not indulge in any other offence of similar nature in any manner whatsoever, while on bail by virtue of this order.

Violation of any of the conditions shall entail cancellation of bail of the Petitioner.

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

(A.K. Mohapatra)
Judge

S.K.Parida