

**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**ABLAPL No.13219 of 2022**

***Sanjeet Bora @ Sanjit Bora*** .... ***Petitioner***

*Mr. J.K. Khuntia, Advocate*

*-versus-*

***State of Odisha*** .... ***Opp. Party***

*Mr. S.Mishra, A.S.C.*

**CORAM:**

**JUSTICE A.K. MOHAPATRA**

**ORDER**

**14.10.2022**

**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.727 of 2022, arising out of Padwa P.S. Case No.83 of 2022 pending in the court of learned S.D.J.M., Koraput for commission of offences punishable under Sections 379/34, I.P.C. read with Section 55-E of Orissa Forest Act, 1972.
5. It is submitted by learned counsel for the petitioner that the petitioner is the owner of the Pick-up van, which was seized by the forest officials and he has been falsely implicated in the present case. It is further submitted by learned counsel for the petitioner that some Sandal Wood was seized from the said vehicle. It is also submitted

by learned counsel for the petitioner that the petitioner does not have any criminal antecedents.

6. Considering the nature of allegation, gravity of offence and the fact 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 in the aforesaid case, 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 besides other conditions would be imposed by the learned court below while releasing the petitioner on bail with further conditions that :-

- I. The petitioner shall cooperate with the Investigating Officer as and when required for the purpose of investigation; and
- II. he shall not default in attendance of the court during trial on each date of posting; and
- III. he shall not indulge in similar criminal activities while on bail.

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

7. It is further directed that the bail granted to the petitioner is subject to the condition that learned court below shall verify whether the petitioner has any criminal antecedents of similar nature. In the event it is found that the petitioner has any criminal antecedents of similar nature, this bail order shall automatically stand revoked. Case

diary be made available on the date of surrender before the learned court below.

8. Accordingly, the ABLAPL is disposed of.

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

Jagabandhu

**( A.K. Mohapatra )**  
**Judge**

