

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.13680 of 2022

Hareram Singh

....

Petitioner

Mr. B.Mohapatra, Advocate

-versus-

State of Odisha

....

Opp. Party

Mr. Sasanka Patra, ASC

CORAM:

JUSTICE CHITTARANJAN DASH

ORDER

21.11.2022

Order No.

- 03.
1. Heard learned counsel for the Petitioner and learned counsel for the State.
 2. This is an application for bail U/s.438 Cr.P.C. filed by the Petitioner in apprehension of arrest for his alleged involvement in the offences under Sections 120-B/379 of IPC & Section-21 of Mines and Minerals (Development and Regulation) Act 1957.
 3. It is submitted by learned counsel for the Petitioner that the Petitioner has not been named in any manner in the Fir or to have been disclosed by the driver if any instructions to have been given to him for transporting the material where as the he is apprehending arrest solely because his vehicle is involved. He therefore prays for being considered.

4. Keeping in view the submission of the parties and having gone through the nature of allegations as emerged from the materials on record, and further the circumstances appearing, the seriousness and gravity of the offences, while this court is not inclined to grant anticipatory bail, the name having not disclosed in the FIR or otherwise, in absence of an antecedent, it is directed that in the event the Petitioner surrenders and moves for bail in connection with G.R. Case No.2263 of 2022 arising out of Talcher P.S. Case No.711 of 2022 pending in the court of learned S.D.J.M., Talcher within a period of three weeks' from today, he shall be allowed to go on bail on such terms and conditions as would be deemed just and proper by the said court. The Petitioner shall appear in person before the learned court below on each date of posting of the case with further condition as follows.

- i). The Petitioner shall cooperate with the investigation and appear before the I.O. as and when required by the I.O;
- (ii). He shall not indulge in similar activities while on bail.
- (iii). He shall appear before the court below on each and every date fixed.

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

5. The ABLAPL is disposed of accordingly.

(Chittaranjan Dash)
Judge