

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.14340 of 2022

Basanta Sahu

Petitioner
....
Mr. B.C. Ghadei, Advocate

-versus-

State of Odisha

Opp. Party
....
Mr. S. Patra, ASC

**CORAM:
JUSTICE CHITTARANJAN DASH**

Order No.

**ORDER
09.12.2022**

03.

1. Heard learned counsel for the Petitioner and the State.
2. By means of this application, the Petitioner seeks grant of bail under Section 438, Cr.P.C. in anticipation of arrest for his alleged involvement in the offence under Sections 379/411/34, I.P.C. read with Section 21 of the M.M.D.R. Act and Section 51 of the OMMC Rules in connection with Balimi P.S. Case No.199 of 2022 corresponding to G.R. Case No.574 of 2022 pending in the Court of learned S.D.J.M., Hindol.
3. It is alleged that during raid conducted by enforcement wing it was found that the vehicle bearing Registration No.OR-10-A-8010 directly engaged in the extraction and transportation of laterite stone quarry.
4. Learned counsel for the State submits that apparently there is no criminal antecedent against the present Petitioner.

5. In such view of the matter, this Court while not inclined to grant anticipatory bail, directs that in the event the Petitioner surrenders before the court in seisin over the matter and move for bail, the learned court shall consider his application keeping in view the fact that there is no criminal antecedent stands to his credit and shall dispose of the bail application of the Petitioner on the same day. In case the court intends to grant bail, shall do so on such terms and conditions as would be deemed just and proper, so also with the conditions that the Petitioner shall tender an undertaking that he shall not engage his vehicle in carrying/transporting any articles including stone in any manner without proper documentation. Violation of the terms and conditions shall entail the bail automatically stands cancelled.

6. The ABLAPL is disposed of.

(Chittaranjan Dash)
Judge