

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.14353 of 2022

Susanta Sethi and another

Petitioners
....
Mr. A. Sahoo, Advocate

-versus-

State of Odisha

Opp. Party
....
Mr. M.K. Mohanty, ASC

**CORAM:
JUSTICE CHITTARANJAN DASH**

**ORDER
02.12.2022**

Order No.

02.

1. Heard learned counsel for the Petitioners and the State.
2. This is an application for bail U/s.438 Cr.P.C. filed by the Petitioners in anticipation of arrest for their alleged involvement in the offences U/s.379/411/34 IPC and Section 68 of the OMMCR Act.
3. On the direction of this Court, learned counsel for the State submits to the report placed by the IIC, Sadar Police Station as regards the criminal antecedent of the accused and it is reported that besides the present there is no antecedent standing on the credit of the Petitioner.
4. It is submitted by learned counsel for the Petitioner that the Petitioners are the Manager of the vehicle in question alleged to

have been involved in the theft of laterite stone query at Deulatangi for transportation.

5. Having regard to the fact that the vehicle is involved in the theft of laterite stone query and the illegal query is being run beyond the knowledge of the present Petitioners cannot be said in absolute.

6. Keeping in view the submission of the parties, the nature of allegations, the circumstances appearing, the seriousness and gravity of the offences, while this Court is not inclined to grant anticipatory bail, it is directed that in the event the Petitioners surrender in connection with Khurda Sadar P.S. Case No.213 of 2022 corresponding to G.R. Case No.1817 of 2022 pending in the court of learned S.D.J.M., Khurda within a period of two weeks' hence and move for bail, they shall be released on such terms and conditions as would be deemed just and proper by the said court with further conditions that they shall appear in person before the court below on each date of posting of the case unless specifically exempted by the court concerned with the further conditions that he shall appear before the IO as and when required; shall cooperate with the investigation; shall not indulge in any other similar offence in any manner whatsoever while on bail. Violation of any of the conditions shall entail cancellation of bail of the Petitioners.

7. The ABLAPL is disposed of.

(Chittaranjan Dash)
Judge