

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.15378 of 2022

Rajesh Kumar

.... ***Petitioner***
Mr. L. Bhuyan, Advocate

-versus-

State of Odisha

.... ***Opp. Party***
Mr. S.N. Das, ASC

**CORAM:
JUSTICE A.K. MOHAPATRA**

ORDER
19.12.2022

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-Opposite Party.
3. The Petitioner is seeking pre-arrest bail in connection with Jashipur P.S. Case No.278 of 2022, corresponding to C.T. Case No.264 of 2022, pending in the court of learned J.M.F.C., Jashipur, registered for alleged commission of offences punishable under Sections 379/468/471/34 of the I.P.C. read with Section 21 of the Mines and Minerals (Development and Regulation) Act, 1957.
4. It is submitted by the learned counsel for the Petitioner that the Petitioner is the owner of the vehicle which was involved in the alleged commission of offence. It is further submitted that the driver of the offending vehicle has already been released on bail in the meanwhile.
5. Considering the nature of allegation, gravity of offence and the

fact of the case, I am not inclined to grant pre-arrest bail to the Petitioner. However, it is directed that in the event the Petitioner surrenders and moves an application for bail before the Court in seisin over the matter within a period of three weeks from today in the aforesaid case, the Court in seisin over the matter shall release him on bail on such terms and conditions as it would be deemed just and proper including the conditions that the Petitioner shall file an undertaking before court in seisin over the mater that he shall not indulge in similar type of offences while on bail and shall not allow his vehicle to be used in similar type of offence. Violation of any of the conditions shall authorize the learned Magistrate to treat this order as revoked and issue N.B.W. against the Petitioner forthwith.

6. Accordingly, the ABLAPL is disposed of.

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

(*A.K. Mohapatra*)
Judge

Debasis