

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.15849 of 2022

Bubhuti Das @ Bibhuti Bhusan ***Petitioners***
Das and another

Ms. Aditi Hota, Advocate

-versus-

State of Odisha

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

CORAM:
JUSTICE A.K. MOHAPATRA

ORDER
21.12.2022

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel appearing for the Petitioner and learned Additional Standing Counsel appearing for the State-Opposite Party.
3. The Petitioners are seeking pre-arrest bail in connection with Talcher P.S. Case No.927 of 2022, corresponding to G.R. Case No.6385 of 2022, pending in the Court of learned S.D.J.M., Talcher, registered for alleged commission of offences punishable under Sections 294/307/379/353/34 of the I.P.C. read with Section 16 of the Odisha Minor Mineral Concession Rules, 2016.
4. 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 Petitioners. However, it is directed that in the event the Petitioners surrender and move 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 them on bail on such terms and conditions as it would be deemed just and

proper including the condition that the Petitioner No.1 shall furnish cash security of Rs.5,000/- (rupees five thousand) before the Court in seisin over the matter. Violation of any of the conditions shall entail cancellation of bail of the Petitioners automatically.

5. It is further directed that the bail granted to the Petitioners are subject to the condition that learned court below shall verify whether the Petitioners have any criminal antecedents of similar nature. In the event it is found that the Petitioner No.1 has more than one criminal antecedent of similar nature and Petitioner No.2 has any criminal antecedent of similar nature, then this bail order shall automatically stand revoked. Case diary along with the criminal antecedents be made available on the date of surrender of the Petitioners before the learned court below.

6. Accordingly, the ABLAPL is disposed of.

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

(*A.K. Mohapatra*)
Judge