

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.16385 of 2021

Ashok Kumar Nayak

.... ***Petitioner***
Mr. A.K. Paul, Advocate

-versus-

State of Odisha

.... ***Opposite Party***
Mr. S. Jena, ASC

CORAM:
MR. JUSTICE D.DASH

ORDER
27.09.2022

Order No.

02. 1. This matter is taken up through hybrid arrangement (virtual/physical mode).
2. The Petitioner having been implicated in Ranpur P.S. Case No.259 of 2021 corresponding to G.R. Case No.394 of 2021 registered for alleged commission of offence under section 379/411/120-B/34, IPC read with section 3 & 4 of the Explosive Substances Act, section 9B(1)(b) of the Explosive Act, section 12 of the Orissa Minerals (Prevention of Theft Smuggling & Other Unlawful Activities) Act, 1988 and Section 68 of Orissa Minor Minerals Concessions rules, 2004 pending on the file of the learned J.M.F.C., Ranpur has filed this application under section 438 Cr.P.C. for his release on bail in the event of his arrest.

3. Heard learned counsel for the Petitioner and learned counsel for the State.

4. Considering the submission and keeping in view the nature of accusation as to the role of this Petitioner as those emanate from the materials on record; I do not find it to be a fit case for grant of anticipatory bail to the Petitioner. It is, however, observed that in the event the Petitioner surrenders before the court in seisin of the aforesaid case within three weeks hence and moves for his release on bail, the same shall be considered on its own merit, without being prejudiced by this order and disposed of early in accordance with law.

5. Accordingly, the ABLAPL stands dismissed. Interim order passed on 21.01.2022 stands vacated.

6. Issue urgent certified copy as per rules.

(D. Dash)
Judge

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