

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.16668 of 2021

Ajaya Mishra

....

Petitioner

Mr. P.R. Mishra, Advocate

-versus-

State of Odisha

....

Opp. Party

Mr. A.K. Beura,
Addl. Standing Counsel

CORAM:

JUSTICE S.K. SAHOO

ORDER

24.01.2022

Order No.

01.

This matter is taken up by video conferencing mode.

Heard learned counsel for the petitioner and learned counsel for the State.

This is an application under section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in connection with G.R. Case No.615 of 2021 arising out of Dhamanagar P.S. Case No.337 of 2021 pending in the Court of learned J.M.F.C., Dhamanagar for alleged commission of offences under section 379/34 of the Indian Penal Code read with section 21 of the Mines and Minerals (Development and Regulation) Act, 1957 and section 51 of the Orissa Minor Minerals Concession Rules, 2016.

Perused the F.I.R.

Considering the submission made by the learned counsel for the petitioner that the petitioner's implication is

based on the confessional statement of co-accused before police and the offences are triable by Magistrate and on hearing the learned counsel for the State, I am inclined to release the petitioner on anticipatory bail and accordingly, this Court directs that in the event of arrest of the petitioner in connection with the aforesaid case, he shall be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties each for the like amount to the satisfaction of the arresting officer with further conditions that he shall make himself available for interrogation by the I.O. as and when required and he shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to the Investigating Officer.

Violation of any of the above conditions shall entail cancellation of bail.

The ABLAPL is accordingly disposed of.

Parties may utilize the soft copy of this order available in the High Court's website or print out thereof at par with certified copy in the manner prescribed vide Office Order dated 7th January 2022.

(S.K. Sahoo)
Judge

RKM