IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.3086 of 2024

Subrat Naik & Others .... ***Petitioners***

Mr. B.P. Nanda, Advocate

-versus-

State of Odisha .... ***Opposite Party***

Mr. Shashanka Patra, A.S.C.

CORAM:
JUSTICE CHITTARANJAN DASH

ORDER
09.04.2024

Order No.

01. 1. Heard the learned counsel for the Petitioners and the State.

2. By means of this application, the Petitioners seek grant of bail U/s.438 Cr.P.C. in apprehension of arrest for their alleged involvement in the offences U/s.379/120-B, IPC read with Section 21 of the MMDR Act, 1957 in connection with Talcher P.S. Case No.216 of 2024 corresponding to G.R. Case No.406 of 2024 pending in the court of the learned S.D.J.M., Talcher.

3. It is alleged as reveals from the F.I.R., on 12.03.2024 at about 3.30 AM while the informant (S.I. of Police, Talcher P.S.) and other police staff were performing night patrolling duty, got reliable information that some persons of Scotlandpur were loading coal illegally in a Truck bearing Regd. No. OR 05 AS 1695 near the railway track at Dharampur, and near the loading spot, one Bolero van and one bike are also present to escort the truck. On receipt of such information, the police team immediately rushed to the spot and could apprehend eight persons, who were involved in such illegal stealing of coal. The accused persons disclosed their mode of

operation and also disclosed their names as well as the names of several other co-accused, who are involved in such crime. The present Petitioners are alleged to be involved in this case.

4. Keeping in view the nature of the allegations, gravity of the offence and the facts and circumstances of the case, while this court is not inclined to grant anticipatory bail, it is directed that in the event the Petitioners surrender and move for bail before the learned S.D.J.M., Talcher in G.R. Case No.406 of 2024 within a period of three weeks from today, they shall be admitted to bail on such terms and conditions as would be deemed just and proper by the said court but subject to the further condition of depositing a sum of Rs.5,000/- (Rupees Five Thousand) by each of the Petitioners in the manner to be directed by that court. The ABLAPL is disposed of accordingly.

(Chittaranjan Dash)
Judge

S.K. Parida

Signature Not Verified
Digitally Signed
Signed by: SAMIR KUMAR PARIDA
Designation: ADR-cum-ADDL. PRINCIPAL SECRETARY
Reason: Authentic Copy
Location: ORISSA HIGH COURT, CUTTACK
Date: 10-Apr-2024 20:53:06