

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No. 1115 of 2022

Adhar Nath

....

Petitioner

Mr.Jayanta Kumar Majhi, *Advocate*

-versus-

State of Odisha

....

Opposite Party

Mr.R.K.Tripathy, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

04.02.2022

Order No.

1. This matter is taken up through Video Conferencing mode.
2. Heard learned counsel for both the parties and perused the records.
3. This is an application under section 438 of the Code of Criminal Procedure filed by the Petitioner for anticipatory bail.
4. Considering the nature of allegations, gravity of offence and fact of the case, I am not inclined to grant anticipatory bail to the Petitioner. However, it is directed that in the event the Petitioner surrenders and moves for bail before the learned S.D.J.M., Balasore in C.T.Case No.978 of 2021 arising out of Chandipur P.S.Case No.94 of 2021, he shall be released on bail on such terms and conditions as the learned S.D.J.M. may deem just and proper subject to verification of chemical examination report and in the event it is found that the seized liquor is I.D. liquor and is poisonous for human consumption, the application of the Petitioner for bail shall be considered on merit and in the event of release of the Petitioner on

bail by the Court below condition be imposed for his appearance before the concerned Police Station once in a fortnight between 10 A.M. and 1 P.M. till conclusion of the investigation.

5. The ABLAPL is accordingly disposed of.

6. As the restrictions due to resurgence of COVID -19 situation are continuing, learned counsel for the parties may utilize a print out of the order available in the High Court's website, at par with certified copy, subject to attestation by the concerned Advocate, in the manner prescribed vide Court's Notice No.4587, dated 25th March, 2020, modified by Court's Notice No.4798, dated 15th April, 2021, and Court's Office Order circulated vide Memo Nos.514 and 515 dated 7th January, 2022.

RKS

