

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.1703 of 2022

Chinmaya Kumar Mohanty Petitioner

Mr. A.K. Jena, Advocate

-versus-

State of Odisha Opp. Party

*Mr. S.S. Pradhan,
Addl. Government Advocate*

**CORAM:
JUSTICE S.K. SAHOO**

**ORDER
08.03.2022**

Order No.

02. This matter is taken up through Hybrid arrangement (video conferencing/physical 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 C.T. Case No.223 of 2022 arising out of Badachana P.S. Case No.44 of 2022 pending in the Court of learned J.M.F.C., Chandikhole for alleged commission of offence under section 52(a) of the Odisha Excise Act, 2008.

Perused the F.I.R.

Learned counsel for the State on instruction submitted that though there is one criminal antecedent against the petitioner but the same does not relate to the offence under Odisha Excise Act.

Considering the submissions made by the learned

counsel for the petitioner that the offence is triable by Magistrate and the foreign liquors were seized from the house of the petitioner and other family members were residing there 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.

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

(S.K. Sahoo)
Judge

RKM