

**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**ABLAPL No.1707 of 2022**

***Kapila Malik***

*....*

***Petitioner***

*Mr. A.C. Behera, 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 2(a) C.C. Case No.19 of 2022 arising out of Basudevpur Excise Station P.R. No.86 of 2021-22 pending in the Court of learned J.M.F.C., Basudevpur for alleged commission of offence under section 52 of the Odisha Excise Act, 2008.

Perused the F.I.R.

Learned counsel for the State on instruction submitted that there are three criminal antecedents against the petitioner.

In view of such criminal antecedents, while not inclining to grant anticipatory bail to the petitioner, it is observed that in the event the petitioner surrenders in the Court below within a period of four weeks from today and moves for bail before the learned Court below, the same shall be disposed of as expeditiously as possible by the Courts below in accordance with law. The case records shall be made available to the Court concerned for adjudication of the bail application.

The ABLAPL is accordingly disposed of.

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

**( S.K. Sahoo )**  
**Judge**

RKM

