

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.2658 of 2020

Ashok Kumar Behera

....

Petitioner

Mr.Biswaranjan Dalai,, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. S.K. Nayak, AGA

CORAM:

MR. JUSTICE D.DASH

ORDER

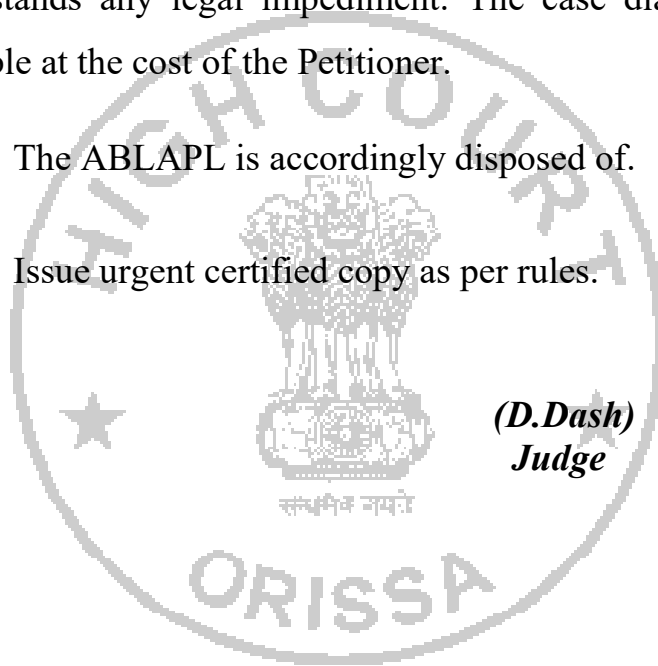
23.02.2022

Order No.

03. 1. This matter is taken up by video conferencing mode.
2. The Petitioner having been implicated in Excise P.R.No.74/2019-20 corresponding to 2(a)C.C.-11/2011 on the file of learned S.D.J.M., Banki for alleged commission of offence under sections 52(A) of the Orissa Excise Act, has filed this application under section 438 of the Cr.P.C. for his release on bail in the event of his arrest in the said case.
3. Heard learned counsel for the Petitioner and learned counsel for the State.
4. Considering the submissions made and on going through the materials as placed as also taking into account the surrounding circumstances, while being not inclined to consider the prayer for grant of anticipatory bail to the

Petitioner; this application stands disposed of with an observation that in the event the Petitioner surrenders before the court in seisin of the case and moves for his release on bail, the same shall be considered on its own merit and disposed of in accordance with law without being influenced by this order during the first half of the day so as to enable the Petitioner in case necessity so arises, to approach the next higher forum in the second hour for its disposal in course of the day unless there stands any legal impediment. The case diary be made available at the cost of the Petitioner.

5. The ABLAPL is accordingly disposed of.
6. Issue urgent certified copy as per rules.



Himansu