

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.3468 of 2022

Laxman Kumar Mohanty

..... Petitioner
Mr. Pratik Dash, Advocate

-versus-

State of Odisha

..... Opp. Party
Mr. M.K. Mohanty, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

17.08.2022

Order No.

- 02.
1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
 2. Heard learned counsel for the Petitioner and the learned Additional Standing Counsel. Perused the records.
 3. This is an application under Section 438 Cr.P.C. filed by the Petitioner for anticipatory bail.
 4. It is submitted by the learned counsel for the Petitioner that the allegations made in the F.I.R. do not make out a case against the Petitioner. It is further submitted by the learned counsel for the Petitioner that the vehicle seized by the Excise staff originally belongs to the Petitioner and subsequently sold it to one Sk.Osi Akthar on 03.12.2021. It is contended that neither the Petitioner was caught red handed nor the accused person has taken the name of the Petitioner during seizure.

5. Considering the nature of allegations made, gravity of the offence and the 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 before the learned S.D.J.M., Balasore in Balasore Town P.R. No.78/2021-22 within a period of three weeks from today and moves for bail, he shall be released on bail on such terms and conditions as would be deemed just and proper by the learned Magistrate and subject to verification of criminal antecedent. It is also directed that the Petitioner while on bail shall not indulge in similar nature of offence. Violation of condition shall entail cancellation of bail..

6. Accordingly, the ABLAPL is disposed of.

7. Issue urgent certified copy of this order as per Rules.

