

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.5848 of 2022

Jatin Dalei

.... ***Petitioner***
Mr.P.Panigrahi, Advocate

-versus-

State of Odisha

.... ***Opposite Party***
Mr. P.K. Pattnaik, AGA for State

**CORAM:
JUSTICE A.K.MOHAPATRA**

ORDER
17.06.2022

Order No.

01. 1. This matter is taken up through hybrid arrangement (virtual/physical mode).
2. Heard learned counsel for both the parties and perused the records.
3. The Petitioner apprehends his arrest in connection with Excise Station P.R. No.37 of 2022-23, corresponding to 2(a) C.C. Case No.35 of 2022, pending in the court of learned J.M.F.C., Bhuban, for the alleged commission of offences under Sections Section 52(a)(ii)/55(b) of Odisha Excise Act.
4. Considering the nature of allegations made against the Petitioner, this Court grants liberty to the Petitioner to surrender before the learned J.M.F.C., Bhuban in the aforesaid case in the first hour within 21 (twenty one) working days hence and move for bail. In such event, learned Magistrate shall consider the application for bail in the first hour strictly on the basis of the materials available on record. In case of rejection of the bail application, the Petitioner may move for bail before the Higher Forum in the second hour. In

such event, the Higher Forum shall consider and dispose of the bail application of the Petitioner on the same day strictly on the basis of the materials on record by maintaining the principles of parity, if applicable.

5. Case Diary be made available to the concerned court. Records be transmitted to the Higher Forum at the cost of the Petitioner, if applied for.

6. The ABLAPL is accordingly disposed of.

7. Issue urgent certified copy as per rules.

(A.K. Mohapatra)
Vacation Judge

U.K.Sahoo

