

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.6859 of 2022

Surendra Nath Sahu @ Surendra Sahu ***Petitioner***

Mr. S.K.Das, Advocate

-versus-

State of Odisha ***Opp. Party***
Mr. P. Tripathy, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

18.07.2022

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the petitioner and learned Additional Standing Counsel for the State.
3. This is an application under Section 438, Cr.P.C. filed by the petitioner for anticipatory bail.
4. The petitioner seeking pre-arrest bail in connection C.T. Case No.648 of 2022, arising out of Jharpokharia P.S. Case No.89 of 2022 pending in the court of learned S.D.J.M., Baripada for commission of offence punishable under Section 52(a) of Odisha Excise Act.
5. It is submitted by learned counsel for the petitioner that the petitioner selling liquor at Joka and on seeing the police party, the petitioner fled away from the shop. On local inquiry, they came to know that the present petitioner, who fled away from the spot. It is further submitted by learned counsel for petitioner that neither the petitioner was present at the spot nor in incriminating material has been

seized from the conscious and exclusive possession.

6. Considering the nature of allegation, gravity of 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 surrender before the learned S.D.J.M., Baripada in the aforesaid case within a period of three weeks from today, he shall be released on bail on such terms and conditions as the learned Magistrate may deem just and proper.

7. Accordingly, the ABLAPL is disposed of.

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

Jagabandhu

