

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.8075 of 2022

Dhaneswar Behera

....

Petitioner

Mr. Manoj Kumar Panda, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. Shashanka Patra, A.S.C.

CORAM:

JUSTICE A.K.MOHAPATRA

ORDER

26.07.2022

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioner and learned Addl. Standing Counsel for the State.
3. This is an application under Section 438, Cr.P.C. filed by the Petitioner for anticipatory bail, involving offences under Section 52(a) of the Odisha Excise Act.
4. It is submitted by learned counsel for the Petitioner that the Petitioner is the owner of the vehicle, in which contraband Bhang was carried. It is further submitted that the driver and helper of the vehicle have been arrested and released on bail subsequently.
5. Considering the aforesaid submission, nature of allegation, gravity of the offence and the facts of the case, although I am not inclined to grant anticipatory bail to the Petitioner, however it is observed that, in the event the Petitioner surrenders before the

learned GN-cum-J.M.F.C., Sanakhemundi in G.R. Case No.89 of 2022 corresponding to Pattapur P.S. Case No.90 of 2022 within a period of three weeks from today, the Petitioner shall be released on bail on such terms and conditions as the learned Magistrate may deem just and proper in the facts and circumstances of the case, subject to the verification of the similar nature of criminal antecedents of the Petitioner.

6. The ABLAPL is disposed of accordingly.
7. Urgent certified copy of this order be granted as per rules.

(A.K. Mohapatra)
Judge

S.K.Parida

