

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.8368 of 2022

Gurudev Seth

....

Petitioner

Mr. Jagabandhu Sahu, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. Shashank Patra, A.S.C.

CORAM:

JUSTICE A.K.MOHAPATRA

ORDER

24.08.2022

Order No.

03. 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 offence punishable under Sections 279/337/338/274/275, I.P.C.
4. Learned counsel for the Petitioner submits that the Petitioner met with an accident and he sustained severe injuries and is now bed-ridden. However, when the police party reached at the spot, they found 450 numbers of Eskuf Cough Syrup bottles loaded in the vehicle, and accordingly the present case has been registered. It is submitted by learned counsel for the Petitioner that the Petitioner is seriously injured and still he is bed-ridden. He further submits that in the event the Petitioner is released on bail, he shall cooperate in the

investigation sincerely and shall appear before the learned trial court on each date fixed for trial.

5. Considering the seriousness of the allegation, gravity of the offence and 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 and moves for bail before the learned S.D.J.M., Padampur in G.R. Case No.514 of 2022 corresponding to Jharbandh P.S. Case No.76 of 2022 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 in the facts and circumstances of the case.

While imposing conditions for bail, learned Magistrate shall also impose the following conditions –

- (i) The Petitioner shall not indulge in any similar nature of offence again, while on bail;
- (ii) He shall appear before the I.O. and shall cooperate with the investigation as and when required.
- (iii) He shall also appear before the learned trial court on each date of trial, without fail.

Violation of any of the conditions shall entail cancellation of bail 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