

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.8536 of 2022

Dhanurjaya Darli

....

Petitioner

Mr. Sangram Keshari Rout, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. Shashank Patra, A.S.C.

CORAM:

JUSTICE A.K.MOHAPATRA

ORDER

29.07.2022

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 offence punishable under Section 52(a) of Orissa Excise Act, 2008.
4. It is stated by learned counsel for the Petitioner that, the Petitioner was a licensee of FL-Off-shop. However, in the meantime the license has expired and it is stated that the Petitioner has applied for renewal of the license. But, in the meantime raid was conducted by police and large quantities of foreign-liquor were found kept in the shop. It is further submitted by learned counsel for the Petitioner that the Petitioner does not have any criminal antecedent of similar nature.

5. Considering the nature of 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 before the learned J.M.F.C., Lamtaput at Koraput in G.R. Case No.55 of 2022 corresponding to Machhakund P.S. Case No.78 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.

6. The ABLAPL is disposed of accordingly.

7. Urgent certified copy of this order be granted as per rules.

(A.K. Mohapatra)
Judge

