

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.9448 of 2022

Hemanta Kumar Panda

....

Petitioner

Mr. S.K. Parida, Advocate

-versus-

State of Odisha

....

Opp. Party

Mr. M.K. Mohanty, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

10.08.2022

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 is seeking pre-arrest bail in connection with C.T. Case No.1017 of 2021 arising out of Bampada Industrial area P.S. Case No.198 of 2021 pending in the court of learned S.D.J.m., Balasore for commission of offence punishable under Section 52 of Orissa Excise Act, 2008.
5. It is submitted by learned counsel for the petitioner that the petitioner is the owner of the vehicle and further he submits that there is no similar nature of criminal antecedents against the petitioner.
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 surrenders before the learned court in seisin over the matter within a period of three weeks from today in the aforesaid case, he shall be released on bail on such terms and conditions as would be deemed just and proper.

7. It is further directed that the bail granted to the petitioner is subject to the condition that learned court below shall verify whether the petitioner has any criminal antecedents of similar nature. In the event it is found that the petitioner has any criminal antecedents of similar nature, this bail order shall automatically stand revoked.

8. Accordingly, the ABLAPL is disposed of.

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

(A.K. Mohapatra)
Judge