

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.9888 of 2022

Jitendra Sahoo

....

Petitioner

Mr. S.K. Bhanjadeo, Advocate

-versus-

State of Odisha

....

Opposite Party

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

CORAM:

JUSTICE A.K.MOHAPATRA

ORDER
22.08.2022

Order No.

02. 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 of the Orissa Excise Act.
4. Considering the seriousness of the 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 and moves for bail before the learned S.D.J.M., Nayagarh in 2(a)CC Case No.100 of 2022 corresponding to Excise Station Nayagarh P.R. Case No.40 of 2022-2023 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, but subject to

verification of criminal antecedent of similar nature against the Petitioner. If it is found that there is more than one criminal antecedent of similar nature against the Petitioner, then this bail order shall automatically stand revoked.

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

(i) While on bail, the Petitioner shall not indulge in similar nature of criminal offence.

(ii) He shall cooperate in the investigation by appearing before the I.O. as and when required;

(iii) Violation of any of the conditions shall entail cancellation of bail of the Petitioner.

5. The ABLAPL is disposed of accordingly.

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

(A.K. Mohapatra)
Judge