

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.9900 of 2022

Lokanath Meher & another **Petitioners**
Mr. Biswajit Ranjan Tripathy, 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.

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 Sections 18-C and 18-A of Drugs and Cosmetics Act, 1940 read with Sections 27(b)(ii) and 28 of the Act.
4. It is submitted by learned counsel for the Petitioners that the Petitioners are not the principal accused in this case. The only allegation against the present Petitioners is that they were supplying medicines to the principal accused.
5. Considering such submissions, 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 Petitioners, however it is

observed that, in the event the Petitioners surrender and move for bail before the learned S.D.J.M., Boudh in 2(C)CC No.1 of 2022 within a period of three weeks from today, they 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 the further following conditions –

(i) That, while on bail, the Petitioners shall not indulge in similar offence in any manner whatsoever; and

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

(iii) They shall also appear before the learned trial court on each date fixed for trial, without fail.

(iv) Violation of any of the conditions shall entail cancellation of bail of the Petitioners.

6. The ABLAPL is disposed of accordingly.

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

(A.K. Mohapatra)
Judge