

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.9911 of 2022

***Biju Sahu @ Bijaya Kumar Sahoo
@ Bijya***

....

Petitioner

Mr. Jugala Kishore Panda, 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 379/411/34, I.P.C. and Section 52(a) of Orissa Excise Act.
4. Considering the seriousness of the allegation, gravity of the offence and the submission made by learned counsel for the Petitioner that the Petitioner has no criminal antecedent of similar nature, 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., Rairakhol in G.R. Case No.488 of 2022 corresponding to Rairakhol P.S. Case No.172 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, but subject to the further following conditions –

(i) That, the Petitioner shall not indulge in similar offence again, while on bail;

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

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

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