

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.9978 of 2022

Dayanidhi Sahoo

....

Petitioner

Mr. D. Acharya, Advocate

-versus-

State of Odisha

....

Opp. Party

Mr. S.K. Patra, 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. Learned counsel for the petitioner is permitted to make necessary correction so far as the case number is concerned in Court today.
3. Heard learned counsel for the petitioner and learned Additional Standing Counsel for the State.
4. This is an application under Section 438, Cr.P.C. filed by the petitioner for anticipatory bail.
5. The petitioner is seeking pre-arrest bail in connection with 2(a) CC Case No.19 of 2020, pending in the court of learned J.M.F.C., Tigiria for commission of offence punishable under Section 52(a) of Odisha Excise Act.
6. It is submitted by learned counsel for the petitioner that the petitioner is involved in two other similar nature of offence. Out of two cases, in one case the petitioner has already been acquitted and

other case is pending as of now.

7. Considering the nature of allegation, gravity of offence and the facts 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 and moves an application for bail before the learned court in seisin over the matter within a period of three weeks from today, he shall be released on bail on such terms and conditions as would be deemed just and proper subject to condition that he shall furnish cash security of Rs.5,000/- (rupees five thousand) with further conditions that while on bail, he shall not indulge similar nature of criminal activities and he shall cooperate with the Investigating Officer and when required for the purpose of investigation besides other conditions would be imposed by the learned court below while releasing the petitioner on bail.

Violation of any of the terms and conditions shall entail cancellation of bail.

6. It is open for the learned court below, if the petitioner fails to appear in court, then the learned court below shall proceed against the petitioner in accordance with law.

7. Accordingly, the ABLAPL is disposed of.

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

(A.K. Mohapatra)
Judge