

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.10292 of 2022

Subash Chandra Sahoo @ Banka ***Petitioner***
Mr. Pradipta Beura, Advocate
-versus-
State of Odisha ***Opp. Party***
Mr. S. Mishra, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

30.08.2022

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 2(a) CC Case No.164 of 2022, pending in the court of learned S.D.J.M., Athagarh for commission of offence punishable under Section 52(a)(i) of Orissa Excise Act.
5. 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 and moves an application for bail 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 with further conditions :-

- I. The petitioner shall not default in attendance of the court during trial on each date of posting;
- II. he shall cooperate with the Investigating Officer as and when required for the purpose of investigation; and
- III. he shall not indulge in similar criminal activities while on bail.

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

6. Accordingly, the ABLAPL is disposed of.

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

(*A.K. Mohapatra*)
Judge

Jagabandhu