

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.10595 of 2022

Aswini Kumar Sahu

....

Petitioner

Mr. Soubhagya Kumar Dash, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. P.C. Das, A.S.C.

CORAM:

JUSTICE A.K.MOHAPATRA

ORDER

06.09.2022

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 420/272/273/34, I.P.C. and Section 20 of Cigarettes and other Tobacco Products Act, 2003 read with Sections 51/52/53/56/57/59/63 of Food Safety and Standards Act, 2006.
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., Berhampur in G.R. Case No.1824 of 2022 corresponding to Bada Bazar P.S. Case No.200 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 furnishing cash security of Rs.20,000/- (Rupees Twenty Thousand) to the satisfaction of learned court in seisin over the matter, and also subject to verification of Criminal Antecedents of 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 stand automatically revoked.

While imposing conditions for bail, learned Magistrate shall also impose the following additional conditions –

- (i) The Petitioner shall appear before the I.O. and shall cooperate with the investigation as and when required;
- (ii) He shall not indulge in similar nature of criminal activities any further.

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