

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.11373 of 2022

Kasu Lenka and another

Petitioners

....

Mr. Ashok Das, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. M.K.Mohanty, A.S.C.

**CORAM:
JUSTICE A.K.MOHAPATRA**

**ORDER
16.09.2022**

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. On oral prayer made by the learned counsel for the Petitioner, he is permitted to carry out correction in the cause title of the petition in Court today.
3. Heard learned counsel for the Petitioners, learned Additional Standing Counsel for the State. Perused the records.
4. This is an application under Section 438, Cr.P.C. filed by the Petitioners for anticipatory bail, involving offence punishable under Section 52(a) (i) of Odisha Excise Act, 2016.
5. 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 Petitioners, however it is observed that, in the event the Petitioners surrender and move for bail before the learned J.M.F.C., Rural, Cuttack in G.R. Case No.2248 of 2022

corresponding to Choudwar P.S. Case No.410 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.

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

- (i) The Petitioners while on bail shall not indulge in similar nature of offence.

Violation of condition shall entail cancellation of bail of the Petitioner.

6. The ABLAPL is disposed of accordingly.
7. Urgent certified copy of this order be granted as per rules.

(A.K. Mohapatra)
Judge

RKS