

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.11910 of 2022

Sanjaya Pradhan

Petitioner

....

Mr. A.K.Panda, Advocate

-versus-

State of Odisha

....

Opposite Party

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

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

**ORDER
22.09.2022**

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioner, learned Addl. Standing Counsel for the State. Perused the records.
3. This is an application under Section 438, Cr.P.C. filed by the Petitioner for anticipatory bail, involving offence punishable under Sections 272,273,420,482,483/34 of the Indian Penal Code, Section 103,104 of the Trade Marks Act, 1999, Section 52(a),55 of Orissa Excise Act, 2008 and Sections 52,53,56,57,59 & 63 of the Food Safety and Standards Act, 2006.
4. It is submitted by the learned counsel for the Petitioner that the Petitioner is the house owner of a house, which was given on rent to Md.Toheed, who was using the house for preparation of duplicate liquor which was not within the knowledge of the Petitioner. He also

submits that the Petitioner does not have any similar criminal antecedents.

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 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.2153 of 2022 corresponding to Badabazar P.S. Case No.235 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 verification of criminal antecedents of similar nature.

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 by the I.O.;
- (ii) He shall not indulge in similar nature of criminal offence while on bail.

Violation of any of the conditions 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