

**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**ABLAPL No.12108 of 2022**

***Kalia Behera @ Ganesh Behera***

***Petitioner***

....  
*Mr. Bibhuti Ranjan Mohanty, Advocate*

*-versus-*

***State of Odisha***

.... ***Opposite Party***

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

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

**ORDER  
24.09.2022**

**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, 273/34 of the Indian Penal Code read with Section 52(a) of the Orissa Excise Act.
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., Balasore in C.T.Case No.557 of 2021 arising out of Chandipur P.S. Case No.58 of 2021 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 against 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**

RKS

