

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.12378 of 2022

Bapuni Jena

....

Petitioner

Mr. Pradipta Beura, Advocate

-versus-

State of Odisha

....

Opp. Party

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

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

27.09.2022

Order No.

- 01.
1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
 2. Heard learned counsel for the petitioner and learned 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 C.T. Case No.08 of 2018, arising out of Gurudijhatia P.S. Case No.03 of 2018 pending in the court of learned S.D.J.M., Athagarh for commission of offences punishable under Section 272, I.P.C. read with Section 52(a) 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 subject to condition that

he shall furnish cash security of Rs.5,000/- (rupees five thousand) with further conditions that besides other conditions would be imposed by the learned court below while releasing the petitioners on bail with further conditions that :-

- I. The petitioner shall cooperate with the Investigating Officer as and when required for the purpose of investigation;
- II. he shall not threaten, harass and terrorize the informant and her /his family members in any manner whatsoever; and
- III. he shall not default in attendance of the court during trial on each date of posting;

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