

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.12561 of 2022

Duryoadhan Sahoo

Petitioner

....
Mr.Pradipta Beura, Advocate

-versus-

State of Odisha

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

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

**ORDER
29.09.2022**

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 Section 52(a) (i) of 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 J.M.F.C., Tigriria in 2(a) C.C.Case No.08 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.5000/- (Rupees Five thousand) which shall be kept in

any Nationalised Bank in an interest bearing account in the name of the court in seisin over the matter and subject to verification of criminal antecedents of similar nature. In the event it is found that the Petitioner has more than one criminal antecedents except the present case, this order shall not be given effect to

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 offence while on bail;
- (iii) He shall appear before the trial court on each and every date fixed.

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