

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.13286 of 2022

Ganesh Naik @ Ganesh Nayak

Petitioner

....

Mr.J.K.Panda, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. S.Mishra, A.S.C.

CORAM:

JUSTICE A.K.MOHAPATRA

ORDER

21.10.2022

Order No.

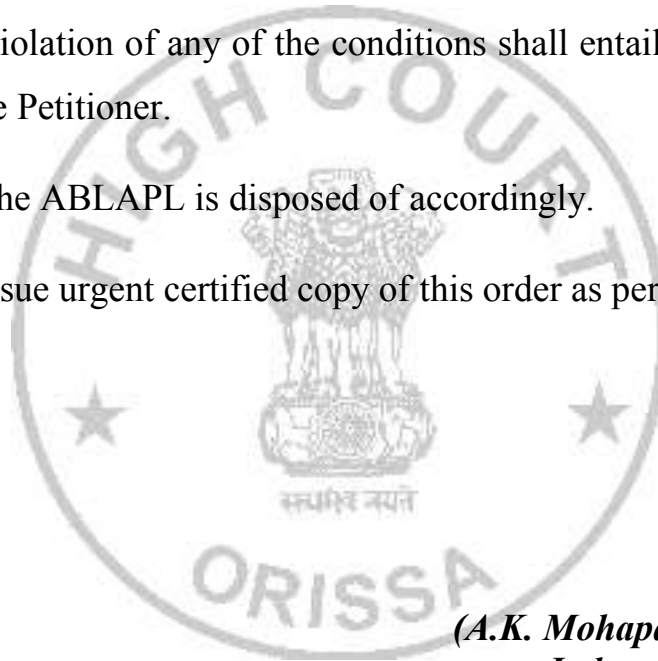
01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioner, learned Addl. Standing Counsel for the State. Perused the records.
3. This is an application under Section 438, Cr.P.C. filed by the Petitioner for anticipatory bail, involving offence punishable under Section 52(a)(i) of Orissa Excise Act, 2008.
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., Parjanga in G.R.Case No.430 of 2022 arising out of Parjanga P.S.Case No.451 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.

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

- (i) The Petitioner shall cooperate with the investigation and appear before the I.O. as and when required;
- (ii) He shall not indulge in similar nature of criminal 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. Issue urgent certified copy of this order as per Rules.



(A.K. Mohapatra)
Judge

RKS