

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.13619 of 2022

Babula @ Dinabandhu Jena

....

Petitioner

Ms. Bini Mishra, Advocate

-versus-

State of Odisha

....

Opp. Party

Mr. M.K. Mohanty, 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 and learned Additional Standing Counsel for the State. Perused the record.
 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.301 of 2022, arising out of Kamarda P.S. Case No.92 of 2022 pending in the court of learned Grama Nyayalaya, Bhograi for commission of offences punishable under 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 the petitioner shall furnish cash security of Rs.5,000/- (rupees five thousand) besides other conditions would be imposed by the learned court below while releasing the petitioner on bail with further conditions that :-

- I. The petitioner shall not be involved in any offence of similar nature; and
- II. he shall not indulge in similar criminal activities while on bail.

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.

