

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.13636 of 2022

***Bapi Pradhan @ Jayanta Pradhan
and another***

Petitioners

....
Mr.J.K.Majhi, Advocate

-versus-

State of Odisha (Vig.)

.... ***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 Petitioners, learned Addl. Standing Counsel for the State. Perused the records.
3. This is an application under Section 438, Cr.P.C. filed by the Petitioners for anticipatory bail, involving offence punishable under Sections 272,273/34 of the Indian Penal Code read with Section 52(a) of Odisha 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 Petitioners, however it is observed that, in the event the Petitioners surrender and move for bail before the learned S.D.J.M., Balasore in C.T.Case No.208 of 2022 arising out of Balasore Town P.S.Case No.42 of 2022 within a period of three weeks from today, they 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 a cash

security of Rs.5,000/- (Rupees Five thousand) in any Nationalised Bank in an interest bearing account in the name of the court in seisin over the matter.

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

- (i) The Petitioners shall cooperate with the investigation and appear before the I.O. as and when required by the I.O.;
- (ii) They shall not indulge in similar nature of criminal offence while on bail;

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