

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.13832 of 2022

***Suresh kumar Maharana @
Suresh Maharana***

Petitioner
....
Mr. R. Roy, Advocate

-versus-

State of Odisha

Opp. Party
....
Mr. Debasis Biswal, ASC.

**CORAM:
JUSTICE CHITTARANJAN DASH**

**ORDER
23.11.2022**

Order No.

- 03.
1. Heard learned counsel for the Petitioner and learned counsel for the State.
 2. This is an application for bail U/s.438 Cr.P.C. filed by the Petitioner in apprehension of arrest for his alleged involvement in the offences Us.420/272/273/34 of IPC and Section-20/24 of the Cigarettes and other Tobacco Products Act, 2003 & Sections-51/52/53/56/57/59/63 of Food Safety and Standards Act, 2006.
 3. Learned counsel for the State having obtained the up-to-date case diary submits no criminal antecedent stands to the credit of the present Petitioner. Having regard to the fact that the offence U/s. 272/273 IPC alleged against the present Petitioner whereas no chemical examination report finds place till date to substantiate the seized materials to be spurious by the investigating agency, on the

contrary, the custodial interrogations of the present Petitioner in the facts and circumstances found not necessary this court observes as follows that keeping in view the nature of allegations as emerged from the materials on record, the circumstances appearing, the seriousness and gravity of the offences, while this Court is not inclined to grant the anticipatory bail, it is directed that in the event the Petitioner surrenders and moves for bail in connection with G.R Case No.2479 of 2022 arising out of Golanthara P.S. Case No.371 of 2022 pending in the court of learned S.D.J.M., Berhampur within a period of three weeks' from today, he shall be admitted to bail on such terms and conditions as would be deemed just and proper by the said court with further conditions that the Petitioner shall appear in person before the learned court below on each date of posting of the case with further condition as follows:-

- (i). The Petitioner shall cooperate with the investigation and appear before the I.O. as and when required by the I.O;
- (ii). He shall not indulge in similar business activities while on bail.
- (iii). He shall appear before the court below on each and every date fixed.

Violation of any of the conditions shall entail cancellation of bail of the Petitioner.

4. The ABLAPL is disposed of accordingly.

(Chittaranjan Dash)
Judge