

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.13982 of 2022

Barun Kumar Nayak

....

Petitioner

Mr. Panchanan Panigrahi, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. M.K. Mohanty, A.S.C.

CORAM:

JUSTICE CHITTARANJAN DASH

ORDER

02.11.2022

Order No.

01. 1. Heard learned counsel for the Petitioner and the State.
2. This is an application under Section 438 Cr.P.C. filed by the Petitioner for anticipatory bail allegedly for his involvement in the offences punishable under Sections 52(a) of Orissa Excise Act, 2008.
3. Considering the seriousness of the allegation, gravity of the offence and the facts and circumstances 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 for bail before the learned S.D.J.M., Kamakhya Nagar in G.R. Case No.750 of 2022 corresponding to Kamakhya Nagar P.S. Case No.406 of 2022 within a period of three weeks hence, he shall be released on bail on such terms and conditions as the learned Magistrate may deem just and proper subject to the Petitioner furnishing cash security of Rs.5,000/- (Rupees Five Thousand) to the satisfaction of learned court in seisin over the matter. The said amount shall be kept in an interest bearing

account of any nationalized bank and shall be subject to the final outcome of the trial.

4. It is made clear that the learned Court below shall verify the criminal antecedent of the Petitioner, if necessary, by admitting the Petitioner to bail provisionally till the information is received and in case more than one antecedent is noticed, the order of this Court shall not be given effect to and the court shall be free to deal with matter of bail according to its merit without further reference to the present.

5. The ABLAPL is disposed of accordingly.

(Chittaranjan Dash)
Judge

S.K.Parida

