

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.15296 of 2022

Balia @ Akshya Kumar Behera

.... ***Petitioner***
Mr.J.K. Majhi, Advocate,

-versus-

State of Odisha

.... ***Opposite Party***
Mr. Samaresh Jena, ASC

**CORAM:
MR. JUSTICE D.DASH**

**ORDER
19.12.2022**

Order No.

01. 1. This matter is taken up through hybrid arrangement (virtual/physical mode).
2. The Petitioner having been implicated in connection with Puruna Bazar P.S. Case No.265 of 2022 corresponding to G.R. Case No.2896 of 2022 on the file of learned J.M.F.C., Bhadrak for alleged commission of offence under Section 52(a) of Odisha Excise Act has filed this application under section 438 of Cr.P.C. for grant of bail in the event of his arrest in the said case.
3. Heard learned counsel for the Petitioner and learned counsel for the State.
4. Considering the submissions made and on going through the materials as placed as also taking into account the surrounding circumstances; while being not inclined to grant anticipatory bail to the Petitioner; this application stands

disposed of with an observation that in the event the Petitioner surrenders before the court in seisin of the aforesaid case and moves for his release on bail, the same shall be considered on its own merit, without being prejudiced by this order and disposed of early in accordance with law.

5. The ABLAPL is accordingly disposed of.
6. Issue urgent certified copy as per rules.

(D.Dash)
Judge

Himansu

