

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No. 16065 of 2022

P.Gopal Krishna

....

Petitioner

Mr.Bishnu Pr.Pradhan, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr.Sonak Mishra, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

22.12.2022

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 records.
3. 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 U/s.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.
4. Learned counsel for the State having obtained the up-to-date case diary submits that 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 allegation 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 conditions 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.

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