IN THE HIGH COURT OF ORISSA AT CUTTACK
ABLAPL No.13977 of 2024

Pitambar Majhi **.....** ***Petitioner***

Represented By Adv. -
Jayanta Kumar Majhi

-versus-

State Of Odisha **.....** ***Opposite Parties***

Represented By Adv. –
Mr.Samaresh Jena, ASC

CORAM:
THE HON'BLE MR. JUSTICE ADITYA KUMAR MOHAPATRA

ORDER
12.12.2024

Order No.

1. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).

2. Heard learned counsel for the Petitioner as well as learned Additional Standing Counsel for the State. Perused the records.

3. This is an application under Section 438 Cr.P.C. filed by the Petitioner for anticipatory bail, involving offence punishable under Sections 52(a)(i) of Odisha Excise Act.

4. Considering the seriousness of the allegation, gravity of the offence and the fact of the case, although I am not inclined to grant anticipatory bail to the Petitioner, however it is observed that, in the event the Petitioner surrenders and moves for bail before the learned

J.M.F.C.(R), Balasore in 2(a) C.C.Case No.365 of 2024 arising out of P.R. No.05 of 2023-24 dated 10.04.2023 within a period of three weeks from today, he 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, subject to verification of criminal antecedent. In the event it is found that the Petitioner is having any criminal antecedent of similar nature, this order shall not be given effect to. While imposing conditions, learned court in seisin over the matter shall impose the following additional conditions:

i) shall cooperate with the enquiry and shall appear before the E.O. as and when required for the purpose of enquiry;

ii) shall not indulge in similar nature of offence while on bail;

iii) shall appear before the trial court on each and every date fixed if not prevented by sufficient cause.

Violation of conditions shall entail cancellation of bail.

5. The ABLAPL is disposed of accordingly.

6. Issue urgent certified copy of this order as per Rules.

(ADITYA KUMAR MOHAPATRA)
JUDGE

RKS

Signature Not Verified
Digitally Signed
Signed by: RAMESH KUMAR SINGH
Reason: Authentication
Location: High Court of Orissa
Date: 13-Dec-2024 10:48:16