



IN THE HIGH COURT OF ORISSA AT CUTTACK
ABLAPL No.4836 of 2026

Muna Sahoo

.....

Petitioner

Represented by Adv. -
Pradipta Beura

-versus-

State of Odisha

.....

Opposite Party

Represented by Adv. -
Mr. A.Mohanty, A.S.C.

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

ORDER
04.05.2026

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 Anticipatory Bail Application as well as the F.I.R.
3. This is an application under Section 482 of the B.N.S.S., 2023 filed by the Petitioner for anticipatory bail, involving offence punishable under Sections Sec.52 (a) (i) of Orissa Excise Act in 2(a) C.C. Case No.177 of 2025 in the Court of learned S.D.J.M., Athagarh arising out of P.R. No.111 of 25-26.
4. It is stated by the learned counsel for the Petitioner that although the Petitioner had earlier approached this Court by filing ABLAPL No.13386 of 2025, a Co-ordinate Bench of this Court, vide order dated 27.11.2025, allowed his prayer to go on pre-arrest bail, however the same was subject to the condition of verification



of Petitioner's similar antecedents. Learned counsel for the Petitioner at this juncture contended that at the time of surrender the Petitioner came to learn that he is having one similar criminal antecedent. It was also contended that although he approached the Co-ordinate Bench by filing an I.A. application for modification of order dated 27.11.2025, such application was not entertained and liberty was granted to the Petitioner to move this Court afresh. Accordingly, the Petitioner has filed the fresh bail application for being released on pre-arrest bail.

5. Learned counsel for the State on the other hand contended that the Petitioner is having one similar criminal antecedent. In such view of the matter, he further submitted, there is every likelihood that he might indulge in similar criminal offences if he is protected by pre-arrest bail of this Court.

6. At this stage, learned counsel for the Petitioner submitted that the Petitioner does not want to press this bail application and seek liberty to surrender before the court below and move an application for bail.

7. Considering such submissions, the Petitioner is permitted to surrender before the learned court in seisin over the matter within a period of three weeks from today and move an application for bail. In such eventuality, learned court in seisin over the matter shall release the Petitioner on bail subject to such terms and conditions as the learned Magistrate may deem just and proper with further conditions that:-

- I. shall not indulge in similar type of offences while on bail;
- II. shall appear before the learned trial court during trial



on each date of posting, unless their personal appearance is dispensed with by the learned trial court.

Violation of any of the terms and conditions shall entail cancellation of the bail.

8. It is further directed that the bail granted to the Petitioner shall be subject to the verification of his criminal antecedent. In the event, the Petitioner is having more than one criminal antecedent, then this order shall stand automatically revoked.

9. It is further directed that the bail granted to the Petitioner shall be subject to depositing a cash security of Rs.3,000/- (Rupees Three Thousand) before the learned Court in seisin over the matter, which shall be kept in any Nationalized bank in interest bearing account initially for a period of one year which will be renewable from time to time till conclusion of trial and the same shall be abide by the final outcome of the trial of the case.

10. The ABLAPL is disposed of accordingly.

Urgent certified copy of this order be granted as per rules.

(A.K. Mohapatra)
Judge

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