

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL NO.1276 OF 2022

Madan Khatua

.... ***Petitioner***

Mr. J.K. Majhi, Advocate

-versus-

State of Odisha

.... ***Opposite Party***

Mr. G.N. Rout, ASC.

CORAM:

MR. JUSTICE D.DASH

ORDER

29.04.2022

Order No.

01. 1. This matter is taken up through hybrid arrangement (virtual/physical) mode.
2. This is the second journey of the Petitioner, who is in custody in connection with Chandipur P.S. Case No.90 of 2021 corresponding to C.T. Case No.969 of 2021 pending on the file of learned S.D.J.M., Balasore, running for the alleged commission of offence under section-272/273/34 of the IPC read with section-52(a) of the Odisha Excise Act, in filing this application under section 439, Cr.P.C., for his release on bail.
3. Heard learned counsel for the Petitioner and learned counsel for the State.
4. Taking into account the submissions made; further keeping in view the materials on records as those stand against the Petitioner with other surrounding circumstances including the period of detention of the Petitioner in custody and on going through the order passed by the learned P.O., Designated Court, OPID; while being inclined to reconsider the prayer for grant of

bail to the Petitioner; it is directed that the Petitioner be released on bail in the aforesaid case on such terms and conditions as deemed just and proper by the Court in seisin of the case with further conditions that:-

1. the Petitioner shall appear in person before the Court in seisin of the case on each date of posting of the case; and
2. shall appear before the IIC, Chandipur P.S. on the 1st Saturday of every month till conclusion of the trial; and
3. shall not indulge himself in commission of similar type of offences.

Violation of any of the condition/s shall entail cancellation of bail.

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

**(D. Dash),
Judge.**

Narayan