

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.1323 of 2022

Kunja Bagh

.... Petitioner

Mr. A.R.Panda
Advocate

-versus-

State of Odisha

.... Opposite Party

Mr.S.K.Mishra,
Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

25.03.2022.

Order No.

03.

1. This matter is taken up through hybrid mode.
2. Despite specific direction, the chemical examination report has not been produced. Hence, the matter is taken up for hearing on the basis of the materials available on record.
3. Heard learned counsel for the Petitioner and learned Addl. Standing Counsel for the State.
4. The Petitioner is in custody since 22nd January, 2022 in connection with Jeypore Sadar P.S. Case No.20/2022 corresponding to G.R. Case No.84/2022 pending in the court of

learned S.D.J.M., Jeypore for the alleged commission of the offence under Sections 272/273 of the I.P.C. read with Section 52(a)/55 of Odisha Excise Act.

5. The allegation is that the Petitioner was selling 20 litres of I.D. liquor when he was caught red-handed by the staff of Jaypore Sadar P.S. Since there are no materials to prima facie suggest that the I.D. liquor in question was noxious or otherwise unfit for human consumption, I am inclined to allow the prayer for bail.

6. Let the Petitioner be released on bail on such terms and conditions as may be imposed by the court in seisin over the matter in the aforesaid case including the condition that he shall appear before the trial court on each date of posting of the case without fail.

7. The BLAPL is disposed of.

8. Urgent certified copy of this order be granted on proper application.

AKB

(Sashikanta Mishra)
Judge