

**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**BLAPL No.1589 of 2022**

***Dharampal Jain @ Kalu***

....

***Petitioner***

Mr. M.K.Mohapatro,  
Advocate

*-versus-*

***State of Odisha***

....

***Opposite Party***

Mr. P.K.Maharaj,  
Addl. Standing Counsel

**CORAM:**

**JUSTICE SASHIKANTA MISHRA**

**ORDER**

**29.3.2022.**

**Order No.**

02.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the Petitioner and learned Addl. Standing Counsel for the State.
3. The Petitioner is in custody since 8<sup>th</sup> February, 2022 in connection with Kesinga P.S. Case No.21/2022 corresponding to C.T. Case No.21/2022 pending in the court of learned J.M.F.C., Kesinga for the alleged commission of the offence under Sections 406/34 of I.P.C. and section 7 of the E.C. Act.

4. The allegation is that the Petitioner, who is the owner of a godown storing rice and other food stuffs, was found to have stored 240 PDS bags rice meant for beneficiaries. It is submitted that the Petitioner though the owner of the godown, yet he was not physically present at the spot nor there is any material to show that the bags were kept in the godown at his instance or orders.

5. Considering the submissions as above, the materials on record, and the period of detention in custody, 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 court below 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**

