

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

**BLAPL No.4899 of 2022**

***Manga Tirkey***

....

***Petitioners***

*Mr. A.K. Mahana, Advocate*

*-versus-*

***State of Odisha***

....

***Opposite Party***

*Ms. Samapika Mishra, A.S.C.*

**CORAM:**

**JUSTICE A.K. MOHAPATRA**

**ORDER**

**17.06.2022**

**Order No.**

01.

1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the petitioner as well as leaned counsel for the State. Perused the F.I.R., Case Diary and other relevant documents.
3. This is an application under Section 439 of the Criminal Procedure Code.
4. The petitioner is an accused in 2(a) CC No.62 of 2022 corresponding to Lahunipara Excise Station P.R. No.09 of 2022-23 pending in the court of learned S.D.J.M., Bonai for commission of offence punishable under Sections 52(a)(i) read Sections 55(b)/59(a)/62(2) of Odisha Excise Act.
5. It is alleged that 80.250 liters adulterated liquor has been seized from the possession of the present petitioner.
6. It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in this case and he is in custody

since 08.04.2022.

7. Learned counsel for the State vehemently opposes the prayer for bail of the petitioner.

8. Having heard learned counsel for the parties and considering the period of detention of the petitioner, it is directed that let the petitioner be released on bail by furnishing a bail bond of Rs.30,000/- (rupees thirty thousand) with one local solvent surety for the like amount to satisfaction of the learned court in seisin over the matter subject to conditions that :-

- I. The petitioner shall not be involved in any offence of similar nature;
- II. he shall not tamper with the prosecution evidence or try to threaten or influence the witnesses or the informant or his family members in any manner whatsoever; and
- III. he shall not make any default in attending the court during trial on each date.

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

9. It is open for the court in seisin over the matter to impose other conditions as may be deemed just and proper.

10. The Bail Application is accordingly disposed of.

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

**( A.K. Mohapatra )**  
**Vacation Judge**