

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 6184 of 2022

Prahallad Behera and another

Petitioners

Mr. L. Das, Advocate

-versus-

State of Odisha

Opposite Party

Mr. A. Pradhan, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
25.07.2022

Order No.

01.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioners and learned counsel for the State.
3. The petitioners are accused in 2(a) CC Case No.16 of 2022, on the files of learned J.M.F.C., Kabisuryanagar, Ganjam, arising out of P.R. No.174 of 2022 of Inspector of Exercise E.I. & E.B. Unit-II (S.D) Berhampur, for commission of offences under Sections 52(a)(i) and 62(i) of Odisha Excise Act, 2008 and is in custody since 22.05.2022.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Additional District & Sessions Judge, Kodala, Ganjam by order dated 21.06.2022 in the aforementioned case, the present BLAPL has been filed.

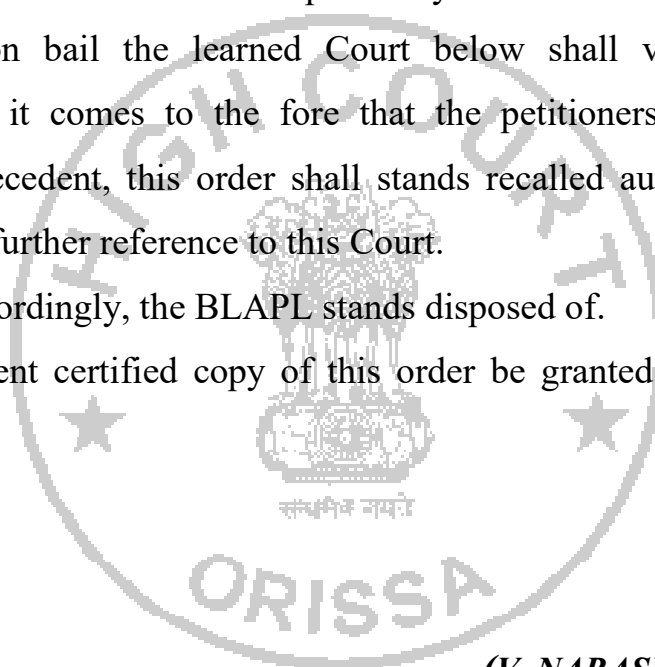
5. On perusal of the order of rejection it is stated that the allegations against the petitioner is seizure of 1581 kgs Bhanga.

6. Taking into account the seizure thereof and keeping in view the period of custody, this Court directs the petitioners to be released on bail on such terms to be fixed by the Court in seisin of the matter.

7. It is stated by learned counsel for the petitioners that the petitioners have no criminal proclivity. While enlarging the petitioners on bail the learned Court below shall verify such assertion. If it comes to the fore that the petitioners have any criminal antecedent, this order shall stand recalled automatically without any further reference to this Court.

8. Accordingly, the BLAPL stands disposed of.

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



(V. NARASINGH)
Judge

Santoshi