

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 8068 of 2022

Manas Das

....

Petitioner

Mr. J. Behera, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. P.K. Maharaj, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

09.09.2022

Order No.

01.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioner and learned counsel for the State.
3. The petitioner is an accused in 2(a) C.C. Case No.79 of 2022 pending in the file of learned J.M.F.C., Chilika arising out of P.R. Case No.51 of 2022-23, offence under Sections 52(a)(i) of Odisha Excise Act and is in custody since 08.07.2022.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Asst. Sessions Judge, Banpur by order dated 04.08.2022 in the aforementioned case, the present BLAPL has been filed.
5. Taking into account the nature of allegations, punishment prescribed and that the petitioner is in custody since 08.07.2022 and he has no criminal antecedents as submitted, this Court directs the petitioner to be released on bail on such terms to be fixed by the

learned court in seisin over the matter. While enlarging the petitioner on bail the learned court below shall verify assertion regarding his criminal proclivity. If it comes to the fore that the petitioner has any criminal antecedent this order shall stands recalled.

6. Accordingly, the BLAPL stands disposed of.
7. Urgent certified copy of this order be granted as per rule.

(V. NARASINGH)
Judge

Santoshi

