

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 8277 of 2022

***Kalia Sundaray @ Pratap
Kishore Sundaray***

....

Petitioner

Mr. J. Sahoo, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. P.K. Maharaj, ASC

CORAM: JUSTICE V. NARASINGH

**ORDER
14.09.2022**

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 accused in Banpur P.S. Case No.262 of 2022 corresponding to G.R. Case No.236 of 2022, pending in the file of the learned J.M.F.C., Banpur, for alleged commission of offences under Sections 52(a)(i) of Orissa Excise Act.
4. Being aggrieved by the Rejection of his application for bail U/s.439 Cr.P.C. by the learned Assistant Sessions Judge, Banpur, by order dated 06.08.2022 in the aforementioned case, the present BLAPL has been filed.
5. Taking into account the nature of accusation and punishment prescribed and keeping in view the submission of learned counsel for the petitioner that the petitioner has no criminal proclivity, this Court directs the petitioner to be released on bail on such terms to be fixed by the Court in seisin over the matter.

6. While releasing the petitioner on bail, the learned Court below shall verify such assertion regarding his criminal proclivity. If it comes to the fore that the petitioner has any criminal antecedent this order shall stand recalled.

7. Accordingly, the BLAPL stands disposed of.

8. Urgent certified copy of this order be granted as per rule.

(V. NARASINGH)
Judge

Ayesha

