

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 8423 of 2022

Biplaba Naik

....

Petitioner

Mr. S.R. Panda, Advocate

-versus-

State of Orissa

....

Opposite Party

Mr. A. Pradhan, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
16.09.2022

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 2(a) CC Case No.171 of 2022 arising out of I.E. Athagarh Range, Athagarh P.R. No.33 of 2022-23 dated 22.08.2022, pending in the Court of the learned S.D.J.M., Athagarh, for the alleged commission of offences under Section 52(a)(i) of Excise Act.
4. Being aggrieved by the Rejection of his application for bail U/s.439 Cr.P.C. by the learned Additional Sessions Judge, Athagarh, by order dated 26.08.2022 in the aforementioned case, the present BLAPL has been filed.
5. Taking into account the nature of allegations and the punishment prescribed and considering the submission of the learned counsel for the petitioner that the petitioner is first offender and perusal of the order of rejection, this Court directs the petitioner

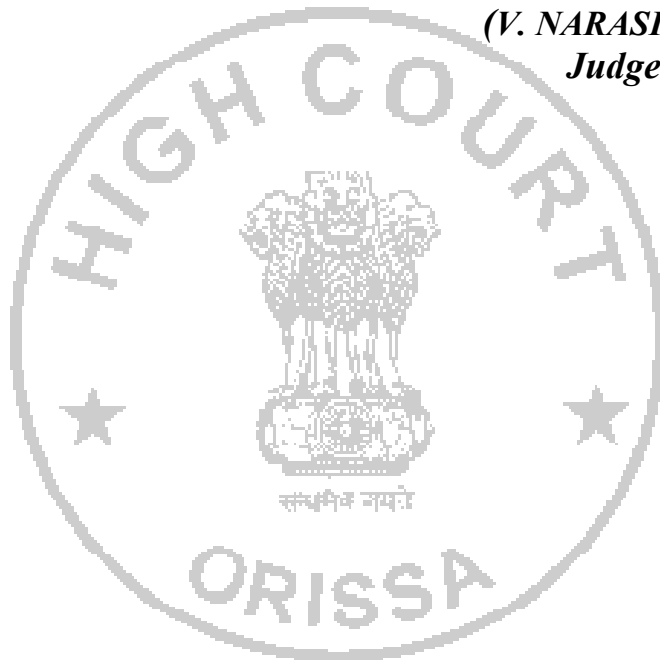
to be released on bail on such terms to be fixed by the Court in seisin over the matter.

6. While releasing the petitioner on bail the learned Court below shall verify such assertion. If it comes to the fore that the petitioner has any criminal antecedent this order shall stand recalled without any further reference to this Court.

7. Accordingly, the BLAPL stands disposed of.

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

Ayesha



(V. NARASINGH)
Judge