

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

**BLAPL No. 8768 of 2022**

***Titua @ Ramakanta Das***

....

***Petitioner***

Mr. C. Swain, Advocate

*-versus-*

***State of Odisha***

....

***Opposite Party***

Mr. Karunakara Gaya, ASC

**CORAM: JUSTICE V. NARASINGH**

**ORDER**  
**23.09.2022**

**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 G.R. Case No.712 of 2022 pending in the file of learned JMFC, Salipur, arising out of Mahanga P.S. Case No.222 of 2022, offence under Sections 272/273 of IPC read with Section 52(a)(i) of the Odisha Excise Act and is in custody since 22.08.2022.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Additional Sessions Judge, Salipur by order dated 05.09.2022 in the aforementioned case, the present BLAPL has been filed.
5. Taking into account nature of allegations and the punishment prescribed and keeping in view assertions made by the learned counsel for the petitioner that he has no criminal proclivity, 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.

6. 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 stand recalled.
7. Accordingly, the BLAPL stands disposed of.
8. Urgent certified copy of this order be granted as per rules.

**(V. NARASINGH)**  
**Judge**

*Santoshi*

