

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.9776 of 2022

Sairam Mahanta

....

Petitioner

Mr.R.K. Mahanta, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. Karunakar Gaya, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

26.10.2022

Order No.

01.

1. This matter is taken up through hybrid mode.
2. Learned counsel for the Petitioner is permitted to correct the name of the Petitioner in the cause title, file and CMS.
3. Heard learned counsel for the Petitioner and learned counsel for the State.
4. The Petitioner is an accused in 2(a)CC Case No.286 of 2022 pending in the file of learned S.D.J.M, Champua, arising out of P.R. Case No.126 of 2022-2023, for commission of offence under Section 52(a)(i)/55 of the Odisha Excise Act and is in custody since 23.09.2022.
5. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Additional Sessions Judge, Champua by order dated 29.09.2022 in the aforementioned case, the present BLAPL has been filed.
6. Perused the order of rejection.

7. Taking note of the nature of allegation and the punishment prescribed, 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.
8. While enlarging the Petitioner on bail the learned court below shall verify the assertion regarding his criminal proclivity. If it comes to the fore that the Petitioner has any criminal antecedent this order shall stand recalled.
9. Accordingly, the BLAPL stands disposed of.
10. Urgent certified copy of this order be granted as per rule.

PKS



(V. NARASINGH)
Judge