

# Kuna Swain vs State Of Odisha .... Opposite Party on 6 December, 2022

**Author: V. Narasingh**

**Bench: V. Narasingh**

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 10974 of 2022

Kuna Swain	....	Petitioner
		Mr. S. Behera, Advocate
	-versus-	
State of Odisha	....	Opposite Party
		Mr. M. Mishra, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

06.12.2022 Order No.

01. 1. Heard learned counsel for the petitioner and learned counsel for the State.

2. The petitioner is an accused in G.R. Case No.2153 of 2022, pending in the file of learned S.D.J.M., Berhampur, Ganjam, arising out of Badabazar P.S. Case No.235 of 2022, for commission of alleged offences under Sections 272/273/420/482/483/488/34 of IPC read with Section 103/104 of Trade Marks Act read with Section 52(a), 55 of Odisha Excise Act read with Section 51/52/53/56/57/59/63 of Food Safety and Standard Act and is in custody since 09.09.2022.

3. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned 2nd Additional Sessions Judge, Berhampur by order dated 19.10.2022 in the aforementioned case, the present BLAPL has been filed.

4. Perused the order of rejection.

5. Taking into account the nature of allegation and period of custody and as investigation has progressed substantially, 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. Additionally, it is directed that the petitioner shall appear before the I.O. once every week on such date and time to be fixed by the learned Court in seisin till submission of final form.

7. While enlarging the petitioner on bail, the learned court below shall verify assertion regarding criminal antecedent of the petitioner. If it comes to the fore that the petitioner has any criminal antecedent of similar nature, this order shall stand recalled.

8. Accordingly, the BLAPL stands disposed of.

9. Urgent certified copy of this order be granted as per rules.

(V. NARASINGH) Judge Santoshi