

Rupak Kumar Mohapatra vs State Of Odisha Opposite Parties on 13 December, 2024

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.11301 of 2024

Rupak Kumar Mohapatra

.....

Petitioner

Represented By Adv. -
Ansuman Bhuyan

-versus-

State Of Odisha

.....

Opposite Parties
Represented By Adv. -

T.K.Acharya, ASC

CORAM:

THE HON'BLE MR. JUSTICE ANANDA CHANDRA
BEHERA

ORDER

13.12.2024 Order No.

02. 1. This matter is taken up through hybrid mode.

2. The bail application under Section 483 of the BNSS, 2023 filed by the petitioner arising out of Jagatpur P.S. Case No.515 of 2024 corresponding to G.R. Case No.1231 of 2024 pending before the learned J.M.F.C. (R), Cuttack is taken up into consideration.

3. The petitioner has been charge-sheeted under Section 318(2), 318(4), 274, 275 and 3(5) of the BNS, 2023 read with Section 51/52/53/59 of Food Safety and Standards Act, 2006 and Sections 33 & 36 of Legal Metrology Act, 2009 and Section 32 of Legal Metrology Packaged Commodity Rule, 2011 on the allegations alleged against him (petitioner) that, he (petitioner) being associated with his co-accuseds, namely, Manas Kumar Rout, Saroj Kumar Mishra and Ajit Kumar Jena were manufacturing adulterated substandard misbranded ghee in the manufacturing unit at Jagatpur.

4. I have already heard from the learned counsel for the petitioner and learned Additional Standing Counsel for the State.

5. When the aforesaid co-accused of the petitioner Manas Kumar Rout, who was implicated with similar acquisitions and allegations like the petitioner, has already been allowed to go on bail vide order dated 03.12.2024 passed in BLAPL No.11214 of 2024, then at this juncture, by applying the guidelines issued by the Apex Court in paragraph No.71 of the case between Satender Kumar Antil Vrs. C.B.I., I find no justification to disallow the prayer for bail of the petitioner.

6. Therefore, the bail application filed by the petitioner is allowed.

7. He (petitioner) is allowed to go on bail on furnishing bail bond of Rs.50,000/-(rupees fifty thousand) with two solvent sureties each for the like amount to the satisfaction of the learned Court in seisin over the matter with conditions that :-

(i) he (petitioner) shall not involve with similar nature of crime in future;

(ii) he shall not terrorize, coerce, influence or threat any witnesses of the prosecution including the informant and his family members either directly or indirectly in any manner whatsoever at any stage of the proceeding of the case;

(iii) he shall appear before the Trial Court personally in each date of adjournment of the case without fail; but in case of his failure to comply any of the aforesaid conditions, the court in seisin over the matter is authorized to cancel his bail order out-rightly without seeking any permission for the same from this Court.

8. Accordingly, the bail application of the petitioner is disposed of finally.

9. Grant certified copy of this order to the petitioner on proper application.

(ANANDA CHANDRA BEHERA) Judge Utkalika Location: High Court of Orissa, Cuttack Date:
13-Dec-2024 18:09:56