

# **Jyotirmayee Rout vs State Of Odisha .... Opp. Party on 8 February, 2022**

**Author: S.K. Sahoo**

**Bench: S.K. Sahoo**

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.1146 of 2022

Jyotirmayee Rout . . . . . Petitioner

Mr. S.R. Mulia, Advocate

-versus-

State of Odisha . . . . . Opp. Party

Mr. A.K. Beura,  
Addl. Standing Counsel

CORAM:

JUSTICE S.K. SAHOO  
ORDER

Order No. 08.02.2022  
01. This matter is taken up through Hybrid

Arrangement (Video Conferencing/Physical Mode).

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

This is an application under section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in connection with G.R. Case No.170 of 2022 arising out of Jagatpur P.S. Case No.32 of 2022 pending in the Court of learned J.M.F.C. (Rural), Cuttack for alleged commission of offences under sections 420/272/273/ 109 of the Indian Penal Code read with sections 51/52/53/54/56/57/59/63 of the Food Safety and Standards Act, 2006 and sections 33/36 of the Legal Metrology Act.

// 2 // Perused the F.I.R.

The accusation against the petitioner is that he was preparing and selling adulterated chilli, turmeric, coriander powder, easyeat probiotic health mix and other products to the general public which is injurious for human consumption and was cheating the general public by selling spurious food items which lacks the original quality of food.

Learned counsel for the petitioner submitted that the petitioner was having licence to sell the food products and some of the co-accused persons have been released on bail and the petitioner may be permitted to surrender in the learned Court below and move for bail and claim of parity may be taken into account.

Learned counsel for the State submitted that samples collected from the seized articles have been sent in the Forensic Science Laboratory for testing.

Considering the nature and gravity of the accusation against the petitioner, while not inclining to grant anticipatory bail to the petitioner, it is observed that in the event the petitioner surrenders in the Court below within a period of four weeks from today and moves for bail before the learned Court below, the same shall be disposed of as expeditiously as possible by the Courts below in accordance with law and claim of parity with the co-accused, who is stated to have // 3 // been released on bail, shall be taken into account at the time of adjudication of the bail application. The case records shall be made available to the Court concerned.

The ABLAPL is accordingly disposed of. Urgent certified copy of this order be granted on proper application.

( S.K. Sahoo) Judge RKM