

Kalia Sahu @ Musa vs State Of Orissa Opposite Party on 26 October, 2022

Author: V. Narasingh

Bench: V. Narasingh

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 9738 of 2022

Kalia Sahu @ Musa

....

Petitioner

Mr. J. Sahoo, Advocate

-versus-

State of Orissa

....

Opposite Party

Mr. A. Pradhan, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

26.10.2022 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 connection with G.R. Case No.1498 of 2022, pending in the file of the learned S.D.J.M., Berhampur, Ganjam, arising out of Berhampur Town P.S. Case No.175 of 2022, for commission of offences under Sections 420/272/273/34 of IPC read with Section 52(a)(i)/55 of Odisha Excise Act & Section 59 of Food Safety and Standards Act, 2006.

4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned 1st Additional Sessions Judge, Berhampur, Ganjam, by order dated 23.08.2022 in the aforementioned case, the present BLAPL has been filed.

5. It is submitted by the learned counsel for the petitioner that since charge-sheet has already been filed on 02.08.2022, further continuance of the petitioner in custody is unwarranted.

6. Learned counsel for the State opposes the prayer for bail inter alia on the ground that the nature of allegations are serious and is a threat to public health.

7. Taking into account the period of custody since 04.07.2022 and filing of charge-sheet, 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. Additionally it is directed that the petitioner shall appear before the jurisdictional police station once every week, the date and time to be fixed by the learned Court in seisin over the matter till the conclusion of trial,.

9. Accordingly, the BLAPL stands disposed of.

10. Urgent certified copy of this order be granted as per rule.

(V. NARASINGH) Judge Ayesha