

ABLAPL/657/2021 on 25 March, 2021

ABLAPL No.657 of 2021

4. 25.3.2021

The petitioner apprehending his arrest in Kantabanji P.S. Case No.13 of 2021 corresponding to G.R. Case No.30 of 2021 pending in the court of J.M.F.C., Kantabanji registered for alleged commission of offence punishable under Sections 272/273/420/269/270 IPC read with Sections 51/53/54/59/61/63 of the Food Safety and Standards Act and Section 3 of the Epidemic Diseases Act and Sections 32/36 of the Legal Metrology Act has filed this petition for his release on pre-arrest bail.

Learned counsel for the State submits that examination report of food articles seized in the aforesaid case has not been received from the Food Safety Officer, Bolangir in spite of the persuasion of the I.O.

This is a case of anticipatory bail in a serious offence like food adulteration. Examination report of the sample, which is vital piece of evidence, is required for effective adjudication of the ABLAPL. In spite of that fact and for reasons best known the Food Safety Officer, Bolangir has not furnished the report.

In such premises, this Court directs that this order be communicated to the Secretary, Health and Family Welfare Department, Government of Odisha, to impart necessary instruction for early examination of the food articles

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which are seized in connection with food adulteration cases. Furthermore, the I.O in this case is directed to proceed against the Food Safety Officer, Bolangir, if he fails to provide the examination report in the manner known to law.

A copy of this order be sent to the Collector, Bolangir and S.P., Bolangir for information and necessary action.

List this matter on 13.04.2021.

Free copy of this order be handed over to the learned Addl. Standing Counsel appearing for the State to transmit the same to the Secretary,

Health and Family Welfare Department, Collector,
Bolangir and S.P., Bolangir and the I.O concerned.

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S.Pujahari, J.