

**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**BLAPL NO.207 OF 2022**

***Biswanath Mahapatra***

.... ***Petitioner***  
Mr. S.Ku. Padhi, Advocate

-versus-

***State of Odisha***

.... ***Opposite Party***  
Mr. Rajesh Tripathy, ASC.

**CORAM:  
MR. JUSTICE D.DASH**

**ORDER  
01.02.2022**

**Order No.**

01. 1. This matter is taken up through video conferencing mode.
2. The Petitioner being in custody in connection with Phulbani P.R. No. 70 of 2021-22 corresponding to 2(a)C.C. No. 33 of 2021 on the file of learned Sessions Judge-cum-Special Judge, Phulbani for commission of offence under section 20(b)(ii)(B) of the NDPS Act, has filed this application under section 439 of the Cr.P.C. for his release on bail in the above mentioned case.
3. Heard learned counsel for the Petitioner and learned counsel for the State.
4. Taking into account the submissions made; further keeping in view the materials on records as those stand against the Petitioner as also quantity of contraband and seized with other surrounding circumstances and taking into account the period of detention of the Petitioner in custody and on going

through the order passed by the learned Special Judge; in the absence of any such impediment; it is directed that the Petitioner be released on bail in the aforesaid case on such terms and conditions as deemed just and proper by the court in seisin of the case with further conditions that:-

1. he will appear in person before the Court in seisin of the case on each date of posting of the case without fail; and
  2. will not indulge himself in commission of similar offences.
5. The BLAPL is accordingly disposed of.
6. As the restrictions due to resurgence of COVID-19 situation are continuing, learned Counsel for the parties may utilize a printout of the order available in the High Court's website, at par with certified copy, subject to attestation by the concerned Advocate, in the manner prescribed vide Court's Notice No.4587 dated 25<sup>th</sup> March, 2020 as modified by Court's Notice No.4798 dated 15<sup>th</sup> April, 2021 and Court's Office order circulated vide Memo Nos.514 and 515 dated 7<sup>th</sup> January, 2022.

**(D.Dash)**  
**Judge**

Aks