

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 223 of 2022

**Santanu Mishra @
Santanu Ranjan Mishra**

...

Petitioner

Mr. P.K. Mishra, Advocate

- Versus -

State of Odisha

...

Opposite Party

Mr. P. Tripathy,
Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

**ORDER
01.02.2022**

Order No.

1.

1. This matter is taken up through virtual mode.
2. Heard learned counsel for the petitioner and learned Addl. Standing Counsel for the State.
3. Heard learned counsel for the petitioner and learned Addl. Standing Counsel for the State.
4. The petitioner is in custody since 27.10.2021 in connection with Laxmisagar P.S. Case No.364 dated 18.08.2021 corresponding to T.R. Case No.369 of 2021 of the Court of learned District and Sessions Judge-cum-Special Judge under NDPS Act, Khurda at Bhubaneswar for the alleged commission of offence under Sections 21(c)/29 of NDPS Act, 1985.
5. It is submitted that the petitioner has been implicated in the case entirely on the basis of the statement of the co-accused and there is no other independent material to show his involvement in the alleged occurrence. Even his name does not find place in the FIR. It is further submitted that similarly placed co-accused, namely, Siblu Biswas has already been

released on bail by order passed by this Court in BLAPL No. 9424 of 2021.

6. Learned Addl. Standing Counsel has opposed the prayer for bail by submitting that investigation into the case is in progress.

7. Having considered the rival submissions, the materials on record, the period of detention already undergone and the fact that the petitioner's name does not find place in the FIR and he appears to have been implicated in the case on the basis of the statement of the co-accused, coupled with the fact that the co-accused, whose name finds place in the FIR, namely, Sibu Biswas, has already been released on bail, I am inclined to allow the prayer for bail. Let the petitioner be released on bail on such terms and conditions as the court in seisin over the matter may deem fit and proper to impose including the condition that he shall personally appear before the trial Court on each date of posting of the case without fail.

8. BLAPL is accordingly disposed of.

9. 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 25th March, 2020, modified by Notice No. 4798, dated 15th April, 2021, and Court's Office Order circulated vide Memo Nos. 514 and 515 dated 7th January, 2022.