

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.247 of 2023

Sridhar Khillo @ Shidhara Khilla

....

Petitioner

Mr. A. Mohanty,
Advocate

-versus-

State of Odisha

....

Opposite Party

Mr.S.K.Mishra,
Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

01.2.2023.

Order No.

01.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the Petitioner and learned Addl. Standing Counsel for the State.
3. The Petitioner is in custody since 16th November, 2021, in connection with Chitrakonda P.S. Case No.73/2021 corresponding to G.R. Case No.56/2021 pending in the court of learned Sessions Judge-cum-Special Judge, Malkangiri, for the alleged commission of the offence under Sections 20(b)(ii)(C) of the NDPS Act.
4. The Petitioner's prayer for bail was rejected earlier by this Court as per order dated 19th May, 2022 passed in BLAPL No.4023/2022. The present application has been filed on the

ground that in the mean time two co-accused persons have been released on bail as per orders passed by this Court in BLAPL Nos.10590 and 7024 of 2021.

5. It is submitted that the Petitioner stands on the same footing. It is further submitted that the Petitioner was apprehended nearly five months after the occurrence entirely on the basis of the statement of the co-accused. There is no evidence showing his complicity in the alleged occurrence.

6. Taking into consideration all the above facts as also the period of detention in custody, I am inclined to allow the prayer for bail. Let the Petitioner be released on bail on such terms and conditions as may be imposed by the court in seisin over the matter in the aforesaid case including the condition that he shall personally appear before the trial Court on each date of posting of the case and in case of even a single default, necessary orders shall be passed by the Court to take him to custody again.

7. The BLAPL is disposed of.

8. Urgent certified copy of this order be granted on proper application.

AKB

(Sashikanta Mishra)
Judge

