

IN THE HIGH COURT OF ORISSA AT CUTTACK
BLAPL No. 402 OF 2021

Sanjay Bain

..... *Petitioner*
Mr. A.Das, Adv.

-versus-

State of Odisha

..... *Opposite Parties*
Ms. S.Mishra, ASC

CORAM:
JUSTICE V. NARASINGH

ORDER
12.05.2022

Order No.

12.

1. This matter is taken up through Hybrid Mode.
2. Heard learned counsel for the parties.
3. The Petitioner is an accused in connection with T.R. Case No. 426 of 2020 arising out of Bhubaneswar P.S. Case No. 101 of 2020 on the file of learned Sessions Judge, Khurda, registered for the alleged commission of offence under Section 20(b)(ii)(c) of the NDPS Act.
4. Being aggrieved by the rejection of his application for bail U/s 439 Cr.P.C. by the learned Sessions Judge, Khurda, by order dated 17.12.2020, the present BLAPL has been filed.
5. Learned counsel for the petitioner places reliance on the orders passed by this Court dated 2.05.2022 in BLAPL Nos. 10389 & 10395 of 2021 relating to the co-accused and seeks release of the petitioner inter alia, on the ground of parity.
6. Learned counsel for the State submits that in view of the quantity of contraband seized , taking into account the bar

under Section 37 of the NDPS Act, the petitioner is not entitled to be released on bail. It is further submitted that the petitioner is not similarly circumstanced.

7. Considering the materials on record and release of the co-accused as per the orders of this Court referred to herein above, the petitioner shall be released on bail on such terms to be fixed by the learned court in seisin over the matter including the conditions that the petitioner shall furnish cash security to the tune of Rs.50,000/- (Rupees fifty thousand) and further he shall not leave the territorial jurisdiction of the court in session without obtaining leave and shall appear before the local Police Station once in every week till the conclusion of the trial.

8. It is needless to state that violation of the stipulation relating to appearance before the local Police Station shall entail cancellation of bail in accordance with law without any further reference to this Court.

9. The BLAPL is accordingly disposed of.

10. Issue urgent certified copy of this order as per Rules.

(V.Narasingh)
Judge

Dhal