

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.616 of 2022

Sahadeba Pradhan and another ***Petitioners***
Mr. G.K. Mohanty, Advocate
-versus-
State of Odisha ***Opposite Party***
Mr. P.K. Pattnaik, A.G.A. for State

CORAM:
JUSTICE A.K.MOHAPATRA

ORDER
02.02.2022

Order No.

01. 1. This matter is taken up through Video Conferencing mode.
2. Heard learned counsel for both the parties and perused the records.
3. This is an application under Section 439 Cr.P.C. filed by the Petitioner for bail in connection with Kundheigola P.S. Case No.296 of 2021, corresponding to Special C.T. Case No.25 of 2021 and Special G.R. Case No.36 of 2021, pending in the court of learned Special Judge, Deogarh, for commission of alleged offences under Sections 20(b)(II)(B) of N.D.P.S. Act.
4. Learned counsel for the Petitioners submits that Petitioners are in jail custody since the date of their arrest, i.e. 07.12.2021. It is submitted that Petitioners are innocent persons, they have been falsely implicated in the case. It is submitted that Petitioners have no criminal antecedents of similar nature.
5. Learned counsel for the State vehemently objects the prayer for bail of the Petitioners. It is further submitted that a quantity of 17

kgs.730 gms. of Ganja has been recovered from the custody of the present Petitioners. However, he submits that if the Petitioners are released on bail, stringent conditions may be imposed on the accused Petitioners.

6. Having heard learned counsel for the parties and considering the period of detention of the Petitioners, it is directed that the Petitioners be released on bail on furnishing a bail bond of Rs.50,000/- (Rupees Fifty thousand) each with one local surety each for the like amount to the satisfaction of the learned court in seisin of the matter subject to conditions that the Petitioners shall not involve themselves in any similar nature of offence particularly involving the offence under the NDPS Act.

7. Petitioners are also directed to appear before the I.O. on every Sunday between 11.00 A.M. to 1.00 P.M. once they come out of the jail custody, till conclusion of trial. It is further directed that the court in seisin of the matter to verify the criminal antecedents of the Petitioners and impose any additional condition(s), if situation so warrants. This order shall remain valid in the event the court in seisin of the matter is satisfied that Petitioner has no criminal antecedents.

8. With the above direction, the BLAPL is accordingly allowed.

9. As the restrictions due to resurgence of COVID -19 situation are continuing, learned counsel for the parties may utilize a print out 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 as modified by Court's Notice No.4798, dated 15th April, 2021 and Office Order dated 7th January, 2022.

(A.K. Mohapatra)
Judge

U.K.Sahoo

