

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 673 of 2022

Rajendra Mahakud & another

.... Petitioners
Mr.S.K.Nanda, Advocate

-versus-

State of Odisha

.... Opposite Party
Mr.K.K. Nayak,A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

02.02.2022

Order No.

1. This matter is taken up through Video Conferencing mode.
2. This is an application under Section 439 of the Code of Criminal Procedure filed by the Petitioners for bail in connection with Dhama P.S.Case No.221 of 2021, corresponding to T.R.Case No.45 of 2021, pending in the Court of the learned Sessions Judge-cum-Judge (Special Court), Sambalpur for alleged commission of offences under Sections 20(b)(ii)(C) and Section 29 N.D.P.S. Act, 1985.
3. Upon consideration of the submissions made by the respective parties as well as on perusal of the records and on consideration of the peculiar facts and circumstances of the case and considering the fact that the petitioners are languishing in jail custody since 07.12.2021, I am inclined to release the Petitioners on bail in the above case, on furnishing a bail bond of Rs.50,000/- (Rupees Fifty thousand) each with one local solvent surety for the like amount to the satisfaction of the learned court in seisin over the matter subject to condition that the Petitioners shall not indulge in such type of

offence while on bail and shall appear before the concerned Police Station once in a fortnight between 10 A.M. and 1 P.M. till completion of trial. Further, it is open to the court in seisin over the matter to impose any additional condition (s), if situation so warrants.

4. It is further directed that the bail granted to the Petitioners is subject to the condition that learned court below shall verify whether the Petitioners have any criminal antecedents. In the event it is found that the Petitioners have any criminal antecedents, this bail order shall automatically stand revoked.

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

RKS

(*A.K. Mohapatra*)
Judge