

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 680 of 2022

Kaina Pala

.... Petitioners
Mr.S.K.Jena, 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 Petitioner for bail in connection with R.Udayagiri P.S.Case No.63 of 2021, corresponding to G.R. Case No.70 of 2021, pending in the Court of the learned Additional Sessions Judge-cum-Special Judge, Paralakhemundi, Gajapati for alleged commission of offence under Sections 20(b)(ii)(C), 25 & 29 of N.D.P.S.Act.
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 petitioner is languishing in jail custody since 30.05.2021 and the fact that the seized ganja has been recovered from two persons while they were going by a bike, I am inclined to release the Petitioner on bail in the above case, on furnishing a bail bond of Rs.50,000/- (Rupees Fifty thousand) 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 Petitioner 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 Petitioner is subject to the condition that learned court below shall verify whether the Petitioner has any criminal antecedents. In the event it is found that the Petitioner has 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