

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.852 of 2022

Baikuntha Basu

...

Petitioner

Ms. Babita Sahu, Advocate

- Versus -

State of Odisha

...

Opposite Party

Mr. P. Tripathy,
Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

04.02.2022

Order No.

1.

1. This matter is taken up through virtual mode.
2. Heard learned counsel for the petitioner and learned Addl. Standing Counsel for the State.
3. The petitioner is in custody since 18.01.2022 in connection with Mathili P.S. Case No.130 of 2020 corresponding to Special T.R. Case No.103 of 2020 pending in the Court of learned Sessions Judge-cum-Special Judge, Malkangiri for the alleged commission of offence under Sections 20(b)(ii)(C) of the NDPS Act,1985.
4. It is submitted that nothing was seized from the conscious and exclusive possession of the petitioner and that he has been implicated in the case solely on the basis of the statement of the co-accused to the effect that he had financed the entire operation. It is further submitted that one of the co-accused persons namely, Sankar Hindia, has already been released on bail vide order passed by this Court in BLAPL No. 220 of 2021.

5. Considering the submissions made, the materials on record, and the fact that the co-accused person has already been released on bail, coupled with the fact that the petitioner appears to have been implicated in the case entirely on the basis of the statement of the co-accused persons, I am inclined to allow the prayer for bail. Let the petitioner be released on bail on such terms and conditions as the court in seisin over the matter may deem fit and proper to impose including the condition that he shall personally appear before the trial Court on each date of posting of the case without fail.

6. BLAPL is accordingly disposed of.

7. As the restrictions due to resurgence of Covid-19 situation are continuing, learned counsel for the parties may utilize a printout 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 Notice No. 4798, dated 15th April, 2021, and Court's Office Order circulated vide Memo Nos. 514 and 515 dated 7th January, 2022.

(Sashikanta Mishra)
Judge

A.K. Rana