

IN THE HIGH COURT OF ORISSA AT CUTTACK
BLAPL No. 1215 OF 2021

Laknath Khilo

..... *Petitioner*
Mr. T.K.Mishra, Adv.

-versus-

State of Odisha

..... *Opposite Party*
Mr. D.Mund, AGA

CORAM:
JUSTICE V. NARASINGH

ORDER
05.05.2022

Order No.
06.

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. No. 4 of 2021 arising out of Boipariguda P.S. Case No. 11 of 2021 on the file of learned Sessions Judge-cum-Special Judge, Koraput at Jeypore, registered for the alleged commission of offence under Sections 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-cum-Special Judge, Koraput at Jeypore, by order dated 21.01.2021, the present BLAPL has been filed.
5. Learned counsel for the petitioner relies on the order of this Court passed in BLAPL No. 837 of 2021 dated 21.03.2022 and seeks intervention on the ground of parity.

6. Learned counsel for the State opposes the prayer for bail stating that in view of the bar contained under Section 37 of the NDPS Act, ground of parity cannot be taken into account at the stage of bail.

7. Taking into account the quantity of contraband seized, the period of detention and release of the co-accused, this Court directs that the petitioner to be released on bail on such terms to be fixed by the learned court in seisin over the matter so as to ensure presence of the petitioner on each date of trial.

08. Accordingly, the BLAPL stands disposed of.

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

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