

IN THE HIGH COURT OF ORISSA AT CUTTACK
BLAPL No. 1288 OF 2021

Shyam Pangi

..... *Petitioner*
Mr. S.Mohanty(1), Adv.

-versus-

State of Odisha

..... *Opposite Party*
Mr. K.K.Gaya, ASC

CORAM:
JUSTICE V. NARASINGH

ORDER
05.05.2022

Order No.

05.

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. Case No. 100 of 2020 arising out of Jeypore Sadar P.S. Case No. 250 of 2020 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 relying on the order of this Court passed in BLAPL No. 6091 of 2021 dated 28.02.2022 relating to co-accused seeks intervention inter alia, on the ground of parity.

6. Learned counsel for the State submits that since the quantity of contraband is more than the commercial quantity, ground of parity cannot be pressed into service by the learned counsel for the petitioner at this stage.

7. Taking into account the release of the co-accused, this Court directs 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.

10. The copy of the order passed in BLAPL No. 6091 of 2021 is kept on record.

(*V.Narasingh*)
Judge

Dhal

