

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 1353 of 2021

Kanhu Pradhan

....

Petitioner

Mr. S.N. Mishra, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. Karunakar Gaya, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

11.04.2022

Order No.

08.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioner and learned counsel for the State.
3. The petitioner is an accused in Spl. G.R. Case No.131 of 2020, on the files of learned Court of Special Judge, Puri, arising out of Satyabadi P.S. Case No.364 of 2020, under Sections 21(c)/29 of NDPS Act and is in custody since 31.10.2020.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Court of Special Judge, Puri, by order dated 01.02.2021 in the aforementioned case, the present BLAPL has been filed.
5. Learned counsel for the petitioner relying on the order passed by this Court in order dated 20.04.2021 in BLAPL No.8825 of 2020 and order dated 18.08.2021 in BLAPL No.2914 of 2021 seeks interference of this Court inter alia on the ground of parity. It is urged by the learned counsel for the petitioner that since there has

been no recovery from him, he is entitled to bail being at par with accused person whose bail application was favourably considered by orders hereinabove referred to.

6. Learned counsel for the State opposes the move pressing into service, the bar under Section 37 of the NDPS Act.

7. On perusal of the materials on record this Court is of the prima facie view that the petitioner is not similarly placed when the accused person released on bail by this Court, as claimed. Hence the bail application of the petitioner stands rejected.

8. Accordingly the BLAPL stands disposed of.

Santoshi

