

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 1589 OF 2021

Sarojit Majumdar

..... *Petitioner*
Mr. N.R. Sahoo, Advocate

State of Odisha

-versus-

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

CORAM:
JUSTICE V. NARASINGH

ORDER
28.03.2022

Order No.
07.

1. This matter is taken up through Hybrid Mode.
2. The petitioner is an accused in connection with Special G.R. Case No. 05 of 2021 corresponding to Kalimela P.S. Case No. 07 of 2021, pending on the file of the Learned Sessions Judge-cum- Special Judge, Malkangiri, for the alleged commission of offence under Sections-20(b)(ii)(C) of the N.D.P.S. Act and is in custody since 06.01.2021.
3. Being aggrieved by the rejection of his application for bail U/s. 439 Cr.P.C. by the learned Sessions Judge-cum-Special Judge, Malkangiri by Order dtd. 15.02.2021 in Special G.R. No. 05 of 2021, the present BLAPL has been filed.

4. Heard Mr. N.R. Sahoo, learned counsel for the petitioner and Mr. K.K. Gaya, learned Additional Standing Counsel for the State.

5. Learned counsel for the petitioner submits that the petitioner is a victim of circumstanced and he has no complexity so as to attract the bar under Section-37 of the N.D.P.S. Act.

6. Such submission, is vehemently opposed by the learned counsel for the State.

7. Taking into account, that the petitioner is in custody since 06.01.2021 and considering the submission of learned counsel for the petitioner that the trial has not commenced, this Court directs that the petitioner shall be released on bail in connection with Special G.R. Case No. 05 of 2021 corresponding to Kalimela P.S. Case No. 07 of 2021, pending on the file of the Learned Sessions Judge-cum- Special Judge, Malkangiri, on such terms to be fixed by the learned Court in seisin of the matter.

8. The Bail Application thus stands disposed of.

9. Urgent certified copy of this order be granted as per rule.