

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 2722 of 2022

Khageswar Pradhan

....

Petitioner

Mr. L. Achari, Advocate

- Versus -

State of Odisha

....

Opposite Party

Mr. P.K. Maharaj, Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

02.05.2022

Order No.

1.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioner and learned Addl. Standing Counsel for the State.
3. The petitioner is in custody since 04.09.2021 in connection with Nuagaon P.S. Case No.58 of 2021 corresponding to C.T. Case No.50 of 2021 pending in the Court of learned Addl. District and Sessions Judge, Baliguda for the alleged commission of offence under Sections 20(b)(ii)(C) of NDPS Act.
4. The petitioner had earlier approached this Court seeking bail in BLAPL No. 9265 of 2021 but the same was rejected granting liberty to renew his prayer after examination of the independent witnesses in the case.
5. It is stated that in the meantime some eye-witnesses have been examined including the independent witnesses. Certified copies of depositions of four witnesses have been placed before this Court, from which it transpires that P.Ws. 2, 3 & 4 are independent witnesses, but none of them have supported the case of the prosecution.
6. Considering the above facts and the period of detention of the petitioner in custody, 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.

7. BLAPL is accordingly disposed of.

8. Issue urgent certified copy as per rules.

(Sashikanta Mishra)
Judge

A.K. Rana

