

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.2728 of 2022

Jitendra Dakua

....

Petitioner

Mr. Sidheswar Mohanty,
Advocate

-versus-

State of Odisha

....

Opposite Party

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

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

18.4.2022.

Order No.

01. 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 8th December, 2021 in connection with Belpahar P.S. Case No.104/2008 corresponding to T.R. Case No.21/2008 pending in the court of learned Special Judge, Jharsuguda for the alleged commission of the offence under Section 20(b)(ii)(c) of the N.D.P.S. Act.

4. As it appears that the Petitioner was earlier on bail and one of the conditions of the bail was that he shall appear on each date personally before the court till disposal of the case. However, on 27th October, 2011 the Petitioner did not appear and a petition under Section 317 of Cr.P.C. was filed on his behalf. The same was rejected and N.B.W. was directed to be issued against him.

5. Considering the submissions made, the materials on record and the fact that the Petitioner was earlier on bail, I am inclined to allow the prayer for bail.

6. Let the Petitioner be released on bail on such terms and conditions as may be imposed by the court in seisin over the matter in the aforesaid case including the condition that he shall appear before the trial court on each date of posting of the case without fail and in case of even a single default, necessary orders shall be passed by the trial court to take him to custody again.

7. The BLAPL is disposed of.

8. Urgent certified copy of this order be granted on proper application.

AKB

(Sashikanta Mishra)
Judge

