

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.2895 of 2022

Bikash @ Pingua Jena

....

Petitioner

Mr. P.K.Jena,
Advocate

-versus-

State of Odisha

....

Opposite Party

Mr.P.Tripathy
Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

25.4.2022.

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 21st August, 2021 in connection with Basta P.S. Case No.242/2021 corresponding to Special Case No.214/2021 pending in the court of learned Sessions Judge-cum-Special Judge, Balasore for the alleged commission of the offence under Section 21(c)/29 of the N.D.P.S. Act.

4. Though the prosecution allegation that the Petitioner was dealing with contraband brown sugar weighing more than 500 grams at the relevant time, yet from the materials on record, it appears that nothing was seized from his possession and he was implicated in the case entirely on the basis of the statement of the co-accused during interrogation. Further, another co-accused, who stands on the same footing as the Petitioner, has already been granted bail as per order passed by this Court in BLAPL No.2226/2022.

5. In such view of the matter, I am inclined to allow the prayer for bail. 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 court below on each date of posting of the case without fail.

6. The BLAPL is disposed of.

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

AKB

(Sashikanta Mishra)
Judge

