

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 2396 of 2021

Sunil Kumar Mohanty

....

Petitioner

Mr. S.R. Mohapatra, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. Karunakar Gaya, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

29.03.2022

Order No.

06.

1. This matter is taken up through hybrid mode.
2. Learned counsel for the petitioner and learned counsel for the State.
3. The petitioner is an accused in 2(a)CC Case No.05 of 2021, on the files of learned Sessions Judge-cum-Special Judge, Cuttack, arising out of Cuttack Case No.135 of 2021, under Sections 20(b)(ii)(c) of NDPS Act and is in custody since 29.01.2021.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Court of Sessions Judge, Cuttack, by order dated 25.02.2021 in the aforementioned case, the present BLAPL has been filed.

5. The learned counsel for the petitioner is stated to be in custody since 29.01.2021. The learned counsel for the petitioner places on record the deposition of P.W.1, the seizure witnesses who was not supported the prosecution.

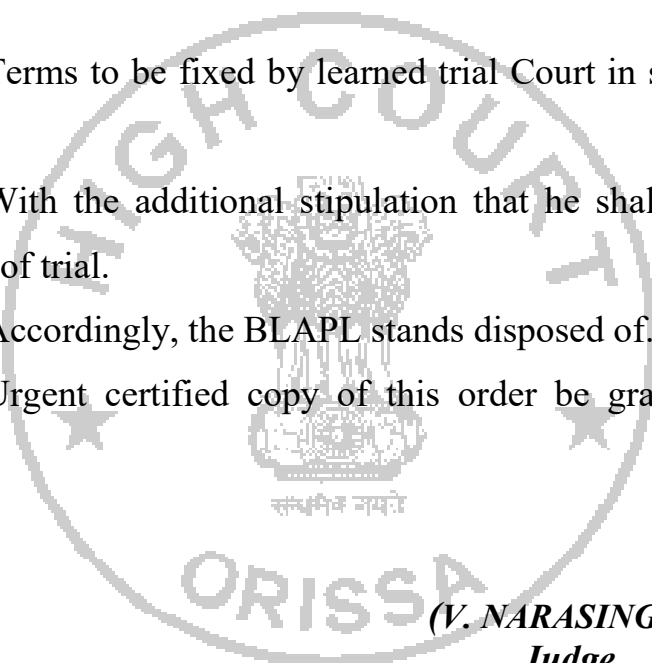
6. Taking into account the length of detention and the submission of learned counsel for the petitioner that there is no chance of the petitioner fleeing justice, this Court directs in the peculiar facts of the case at hand that the petitioner be enlarged on bail.

7. Terms to be fixed by learned trial Court in seisin of the matter.

8. With the additional stipulation that he shall appear on each date of trial.

9. Accordingly, the BLAPL stands disposed of.

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



(V. NARASINGH)
Judge

Santoshi