

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.3499 of 2022

Dhanjeev Kumar Yadav

....

Petitioner

Mr. A. Das
Advocate

-versus-

State of Odisha

....

Opposite Party

Mr.P. Tripathy,
Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER
15.9.2022.

Order No.

02.

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 9th March, 2021 in connection with Rayagada P.S. Case No.60/2021 corresponding to T.R .Case No.08/2021 pending in the court of learned Sessions Judge-cum-Special Judge, Rayagada for the alleged commission of the offence under Section 20 (b) (ii) (C)/29 of the NDPS Act.

4. It is alleged that the Petitioner and another person were transporting Ganja weighing 190 kgs. when they were apprehended by the Police. Similarly placed co-accused person namely, Sanjit Kumar has been released on bail as per order passed by this Court in BLAPL No.6953 of 2021. I find no justified reason to treat the Petitioner differently than the said co-accused person. The bail application is, therefore, allowed.

5. Considering the submissions made, the materials on record and the period of detention of the Petitioner in custody without commencement of trial, 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 trial court on each date of posting of the case and in case of even a single default, necessary orders shall be passed by the court to take him to custody again. Further, he shall furnish cash security of Rs.1,00,000/-(Rupees One lakh) in the shape of short term fixed deposit in any nationalised Bank being pledged to the Court below. The court below shall insist upon two sureties for such amount as may be deem fit and proper. Out of whom one must be his blood relation and the other must belong to the district of Rayagada. He shall not leave the territorial jurisdiction of the court without obtaining leave and in case leave is granted, the Petitioner shall furnish his current address and mobile number to the Court and the I.O.

6. The BLAPL is disposed of.

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

AKB

(Sashikanta Mishra)
Judge

