

**IN THE HIGH COURT OF ORISSA AT CUTTACK**  
**BLAPL No. 3938 OF 2022**

***Pramod Kumar Sahoo@Kabuli***

***..... Petitioner***

***Mr. A.K.Jena, Adv.***

***-versus-***

***State of Odisha***

***..... Opposite Party***  
***Mr. K.K.Gaya, ASC***

**CORAM:**  
**JUSTICE V. NARASINGH**

**ORDER**  
**19.07.2022**

**Order No.**

**04.**

1. This matter is taken up through Hybrid Mode.
2. Heard learned counsel for the petitioner and learned Additional Standing Counsel for the State.
3. The Petitioner is an accused in connection with Special G.R. Case No42 of 2022 arising out of Fategarh P.S. Case No. 76 of 2022 pending on the file of learned Sessions Judge-cum-Special Judge, Nayagarh, registered for the alleged commission of offence under sections 20(b)(ii)(C)/29 of the NDPS Act.
4. Being aggrieved by the rejection of his application for bail under Section. 439 Cr.P.C. by the learned Sessions Judge-cum-Special Judge, Nayagarh by order dated 2.05.2022, the present BLAPL has been filed. The petitioner is stated to be in custody since 7.04.2022.

5. Learned counsel for the Petitioner relying on the order passed by this Court dated 7.07.202 in BLAPL No. 4026 of 2022 relating to the co-accused is released, seeks release inter alia on the ground of parity and it is submitted that the Petitioner has no criminal proclivity.

6. Considering the period of detention and release of the co-accused by order of this Court adverted to above, this Court directs that the petitioner shall be released on bail. Learned court in seisin over the matter shall fix the terms.

7. It is stated by the learned counsel for the petitioners that the petitioner has no criminal proclivity. While enlarging the petitioner on bail the learned court below shall verify such assertion. If it comes to the fore that the petitioner has any criminal proclivity, this order shall stand recalled automatically without any further reference to this Court.

8. Accordingly, the BLAPL stands disposed of.

9. Issue urgent certified copy of this order as per rules.

( *V.Narasingh* )  
*Judge*

*Dhal*