

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 6244 of 2022

Ranjit Prasad

....

Petitioner

Mr. SK. Zafarulla, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. Karunakar Gaya, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
08.09.2022

Order No.

03.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioner and learned counsel for the State.
3. The petitioner is an accused in SPL. G.R. Case No.6 of 2022 pending in the file of learned 1st Additional Sessions Judge-cum-Special Judge, Rourkela, arising out of Plantsite P.S. Case No.37 of 2022, offence under Sections 20(b)(ii)(C)/29 of the NDPS Act and Section 25 of the Arms Act and is in custody since 13.06.2022.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned 1st Additional Sessions Judge-cum-Special Judge, Rourkela by order dated 24.06.2022 in the aforementioned case, the present BLAPL has been filed.
5. Perused the order of rejection.

6. It is submitted by the learned counsel for the petitioner that co-accused Vicky Sahoo@ Sanjay Dutta was released on bail by this Court by order dated 16.05.2022 in BLAPL No.3512 of 2022 and another co-accused Anil Nag@ Giddu was also directed to be released on bail by order dated 21.07.2022 in BLAPL No.6025 of 2022.

7. It is submitted by the learned counsel for the petitioner the basis of implication is on account of co-accused statement and relying on the dictum of the apex Court in the case of *Tofan Singh vs. State of Tamil Nadu*, reported in (2020) 80 OCR (SC) 641 seeks release .

8. Taking into account the release of the co-accused and the basis of implication, this Court directs the petitioner to be released on bail on such terms to be fixed by the learned court in seisin over the matter.

9. Additionally, it is directed that the petitioner shall appear before the jurisdictional police station once in every week till the submission of charge sheet.

10. Accordingly, the BLAPL stands disposed of.

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

(V. NARASINGH)
Judge

Santoshi