

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.5172 of 2022

Vikash Tiwari

....

Petitioner

Mr. T.K.Mishra
Advocate

-versus-

State of Odisha

....

Opposite Party

Mr.P. K.Maharaj,
Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER
21.6.2022.

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 31st December,2021, in connection with Plantsite P.S. Case No.510/2021 corresponding to Special G.R .Case No.15/2021 pending in the court of learned Addl. Sessions Judge-cum-Special Judge, Rourkela for the alleged commission of the offence under Section 20 (b) (ii) (C) of the NDPS Act.

4. It is alleged that the Petitioner along with two other persons namely, Gourav Chhachhan and Rajveer Ram @ Rajveer Ku. Ram were transporting Ganja weighing 41 kgs. 482 grams in a Car when they were apprehended by the Police. The said co-accused persons have already been released on bail as per the orders passed by this Court in BLAPL Nos.4419/2022 and 4087/2022. I find no justified reason to treat the Petitioner differently than the said co-accused persons. 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.40,000/-(Rupees forty thousand) in the shape of short term fixed deposit in any nationalised Bank being pledged to the Court below. 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

