

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.5322 of 2022

Dula Madhi

....

Petitioner

Mr. K.C.Dash

-versus-

State of Odisha

....

Opposite Party

Mr. P.K.Maharaj

Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

11.7.2022.

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 17th May, 2022 in connection with Mathili P.S. Case No.94/2021 corresponding to Spl.G.R. Case No.57/2021(A) pending in the court of learned Sessions Judge-cum-Special Judge, Malkangiri for the alleged commission of the offence under Sections 20(b)(ii)(C)/27-A of N.D.P.S. Act.
4. It is submitted that nothing was seized from the possession of the Petitioner and that he has been implicated on the basis of

the statement of the co-accused. The materials on record reveal that in course of interrogation, the persons who were apprehended at the spot disclosed that the present Petitioner was the financier of the entire operation. There is no independent material to show his complicity in the occurrence. The other co-accused persons have already been released on bail as per the orders passed by this Court in BLAPL Nos.7722/2021, 6974/2021, 2925/2022 and 5004/2022.

5. Considering the submissions as above, the materials on record, the period of detention in custody and the fact that the co-accused persons have already been released on bail, 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 personally before the court below on each date of posting of the case without fail and in case of even a single default, necessary orders shall be passed by the court to take him to custody again.

6. The BLAPL is disposed of.

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

AKB

(Sashikanta Mishra)
Judge

