

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 4386 of 2021

Deepak Nayak

....

Petitioner

Mr. Bishnu Prasad Pradhan, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. Priyabrata Tripathy, ASC

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

25.07.2022

Order No.

06.

1. This matter is taken up through hybrid arrangement (virtual/physical mode).
2. Heard learned counsel for the Petitioner and learned counsel for the State.
3. The petitioner is in custody since 16.03.2021 in connection with Kumbharapada P.S. Case No.71 of 2021, corresponding to Special G.R. Case No.33 of 2021 of the court of learned Special Judge, Puri, for the alleged commission of offence under Sections 21(b), 21(c), 29 of N.D.P.S. Act, 1985.
4. It is alleged that Petitioner was the pillion rider in a motorcycle being driven by another person. Both were caught red-handed while transporting contraband brown sugar weighing 256 grams, which was seized from the spot. It is further submitted that Petitioner has been in custody for more than one year but trial has not yet commenced. Moreover, he is a local man, therefore there is no chance to abscond from trial. His application for bail has been rejected by the learned

Special Judge, Puri on 02.06.2021.

5. Considering the submissions, materials on record and the period of detention in custody, I am inclined to allow the prayer for bail. Let the Petitioner be released on bail on such terms and conditions as the court in seisin over the matter may deem fit and proper to impose including the conditions that he shall personally appear before the trial Court on each date of posting of the case without fail. Further he shall appear before the I.I.C. of Kumbharapada P.S. on every Sunday at 10 a.m. for a period of six months and such fact shall be certified by the I.I.C. to the concerned court once in a month.

6. BLAPL is accordingly disposed of.

7. Issue urgent certified copy as per rules.

(Sashikanta Mishra)
Judge