

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 5647 of 2022

Arjun Suna @ Khara

.... **Petitioner**

Mr. P.K. Nanda, Advocate

- Versus -

State of Odisha

.... **Opposite Party**

Mr. S. Mishra, Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

06.07.2022

Order No.

1.

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 in connection with Mudulipada P.S. Case No.80 of 2021 corresponding to Spl. G.R. Case No.100 of 2021 of the Court of learned Sessions Judge-cum-Special Judge, Malkangiri for the alleged commission of offence under Section 323/307/353 of IPC read with Section 20(b)(ii)(C)/27-A/29 of NDPS Act.
4. It is submitted that nothing was seized from the possession of the petitioner and he was apprehended only on the basis of the statement of co-accused. A reading of the FIR also shows that the name of the petitioner and two other persons was disclosed by the main accused persons in police custody to the effect that they were financiers.
5. Considering the above facts as also taking into account the ratio laid down by the Supreme Court in the case of *Tofan Singh vs. State of Tamil Nadu*, reported in (2020) 80 OCR (SC) 641, 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 condition that he shall personally appear before the trial Court on each date of posting of the case without fail.

6. BLAPL is accordingly disposed of.

7. Issue urgent certified copy as per rules.

(Sashikanta Mishra)
Judge

A.K. Rana

