

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.5818 of 2022

Dharmendra Kumar Yadav ***Petitioner***
Mr. B.R. Tripathy, Advocate

-versus-

State of Odisha ***Opp. Party***
Mr. S.R. Roul, ASC

CORAM:
JUSTICE G. SATAPATHY

Order No.

ORDER
14.11.2022

03. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. This is an application U/S. 439 of Cr.P.C. by the Petitioner for grant of bail in connection with P.R. Case No.95 of 2022-23 corresponding to T.R. Case No.16 of 2022 pending in the Court of learned Sessions-Cum-Special Judge, Rayagada for commission of offence punishable U/S. 20(b)(ii)(B) of NDPS Act, on the allegation of possessing contraband Ganja to the tune of 10kgs.
3. In the course of hearing of the bail application, Mr. B.R. Tripathy, learned counsel for the petitioner submits that the petitioner is inside custody since 09.06.2022 and he has been falsely implicated in this case since the recovery was made from the public place and there is hardly any scope for the petitioner to tamper with witnesses in this case. He prays to grant bail to the petitioner.
4. On contrary, learned counsel for the State, however, opposes the bail application of the petitioner.
5. Considering the rival submissions of the parties, the nature and

character of accusations and regard being had the pre trial detention of the petitioner since 09.06.2022 and taking into consideration the other circumstances in entirety, this Court, however, considers the bail application of the petitioner favorably.

6. Hence, the prayer for the bail of the petitioner stands allowed and the petitioner is allowed to go on bail on furnishing bail bonds of Rs.50,000/- with two solvent sureties each for the like amount to the satisfaction of the learned Court in seisin of the case on such terms and conditions as deem fit and proper with further conditions that the petitioner shall not commit similar type of offence while on bail and that the petitioner shall not leave the jurisdiction of the trial Court without prior permission till conclusion of the trial and that the petitioner shall attend the trial Court on each date of posting of the case unless his attendance is dispensed with and that the petitioner shall report attendance before the jurisdictional Police Station once in a fortnight preferably on each second Saturday every month in between 10 A.M. to 12 Noon. The jurisdictional Police Station shall not detain the petitioner unnecessarily after recording his attendance beyond the time as stipulated. It is clarified that the Special Judge will be at liberty to cancel the bail of the petitioner without further reference to this Court, if any of the above conditions are violated or a case for cancellation of bail is otherwise made out.

7. Accordingly, the BLAPL stands disposed of.

8. Urgent certified copy of the order be granted on proper application.

(G. Satapathy)
Judge