

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.4970 of 2021

Bijay Mohanty

....

Petitioner

Mr. A.N. Pattanaik, Advocate

-versus-

State of Odisha

....

Opp. Party

Mr. P.K. Pattnaik, AGA

**CORAM:
JUSTICE G. SATAPATHY**

**ORDER
15.12.2022**

Order No.

- 09.
1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
 2. Mr. A.N. Pattanaik, learned counsel for the petitioner submits that during the interregnum of the interim bail, the petitioner has been arrested in Khordha Model P.S. Case No.654 of 2022 for offences punishable U/S.21(b)/29 of NDPS Act and, thereby, he could not furnish the surrender certificate of the petitioner in this case.
 3. Mr. P.K. Pattnaik, learned A.G.A. on the other hand, submits that when the petitioner on interim bail has been able to commit an offence of similar nature, therefore, the present bail application of the petitioner may be dismissed.
 4. In view of the aforesaid rival submissions and taking into consideration the arrest of petitioner in another case of similar nature during the currency of interim bail of the petitioner and regard being had to the mandate of Section 37 of the NDPS Act, the present bail application, which is filed for release of petitioner on bail on accusation

involving commercial quantity of brown sugar, merits no consideration and the bail application of the petitioner is, accordingly, dismissed.

(G. Satapathy)
Judge

Subhasmita

