

IN THE HIGH COURT OF ORISSA AT CUTTACK
BLAPL No. 6074 OF 2022

Pujari Shankar

..... ***Petitioner***
Mr.S.K.Nayak, Adv.

-versus-

State of Odisha

..... ***Opposite Party***
Mr. P.K.Maharaj, ASC

CORAM:
JUSTICE V. NARASINGH

ORDER
22.07.2022

Order No.
01.

1. This matter is taken up through Hybrid Mode.
2. Heard learned counsel for the petitioner and learned Additional Standing Counsel for the State.
3. The Petitioner is an accused in connection with T.R. Case No.13 of 2022 arising out of Jeypore Sadar P.S. Case No. 80 of 2022 on the file of learned Sessions Judge-cum-Special Judge, Koraput at Jeypore, registered for the alleged commission of offence under Sections 20(b)(ii)(C) of the NDPS Act.
4. Being aggrieved by the rejection of his application for bail U/s 439 Cr.P.C. by the learned Sessions Judge-cum-Special Judge, Koraput at Jeypore, by order dated 09.06.2022, the present BLAPL has been filed. The petitioner is stated to be in custody since 26.03.2022.
5. Relying on the orders passed by this Court dated 17.5.2022 in BLAPL No.3676 of 2022, dated 20.05.2022 in BLAPL No. 4512 of 2022 and dated 13.06.2022 in BLAPL No. 4826 of 2022 the petitioner seeks release inter alia, on the ground of parity.

6. Learned counsel for the State opposes the prayer for bail referring to the bar contained under Section 37 of the NDPS Act.

7 On consideration of the materials on record, it seems that the petitioner is similarly circumstanced with the co-accused since released on bail hence, this Court directs the petitioner to be released on bail. The terms to be fixed by learned Court in seisin over the matter.

8. Since the petitioner admittedly does not belong to the State, the learned Court in seisin over the matter shall additionally direct that one of the sureties shall be the immediate family member and that the petitioner shall appear before the jurisdictional Police Station once every ten days. The first date of appearance to be fixed by the learned court in seisin over the matter.

9. Violation shall entail cancellation of bail. .

10. Accordingly, the BLAPL stands disposed of.

11. Issue urgent certified copy of this order as per Rules.

(V.Narasingh)
Judge

Dhal