

IN THE HIGH COURT OF ORISSA AT CUTTACK
BLAPL No.5163 of 2021

Nikhil Mandal

.... ***Petitioner***
Mr.J.K. Panda, Advocate

-versus-

State of Odisha

.... ***Opposite Party***
Mr. S.K. Nayak, AGA

CORAM:
MR. JUSTICE D.DASH

ORDER
28.07.2022

Order No.

01. 1. This matter is taken up through hybrid arrangement (virtual/physical mode).
2. This is the second journey of the petitioner, who is in custody in connection with T.R. Case No.42 of 2020 corresponding to Kalimela P.S. Case No.31 of 2020 pending in the court of the learned Sessions Judge-cum-Special Judge, Malkangiri running for the alleged commission of offence under sections 20(b)(ii)(C) of the NDPS Act in filing this application under section 439, Cr.P.C. for his release on bail.
3. Heard learned counsel for the petitioner and learned counsel for the State.
4. Taking into account the submissions made; further keeping in view the materials on records as those stand against the Petitioner with other surrounding circumstances including the factum of release of co-accused person, namely, Goutam Mahanta on bail by order passed by this Court on 22.06.2022 as also the period of detention of the Petitioner in custody; it is directed that the petitioner be released on

bail in the aforesaid case on such terms and conditions as deemed just and proper by the court in seisin of the case with further conditions that he will appear before the Trial Court on each date of posting of the case till conclusion of trial; will appear before the Inspector-in-Charge of Kalimela P.S. on every Monday in between 10.00 a.m. to 2.00 p.m. for a period of one year; will not indulge himself in commission of similar type of offence and will not leave the jurisdiction of the Court without prior permission.

5. The BLAPL is accordingly disposed of.
6. Issue urgent certified copy as per rules.



(D. Dash)
Judge

Himansu