

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 6291 of 2022

Fateh Chand

....

Petitioner

Mr. P.K. Mishra, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. Karunakar Gaya, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

10.08.2022

Order No.

01.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioner and learned counsel for the State.
3. The petitioner is an accused in T.R. Case No.50 of 2021, on the files of learned Additional Sessions Judge-cum-Special Judge, Gunupur arising out of Bisamcuttack P.S. Case No.39 of 2021, under Sections 20(b)(ii)(C) of NDPS Act and is in custody since 22.02.2021.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Additional Sessions Judge-cum-Special Judge, Gunupur, by order dated 20.06.2022 in the aforementioned case, the present BLAPL has been filed.
5. Taking into account the submission of the learned counsel for the petitioner that co-accused have been released on bail by this Court by order dated 04.04.2022 in BLAPL No.4177 of 2021 and

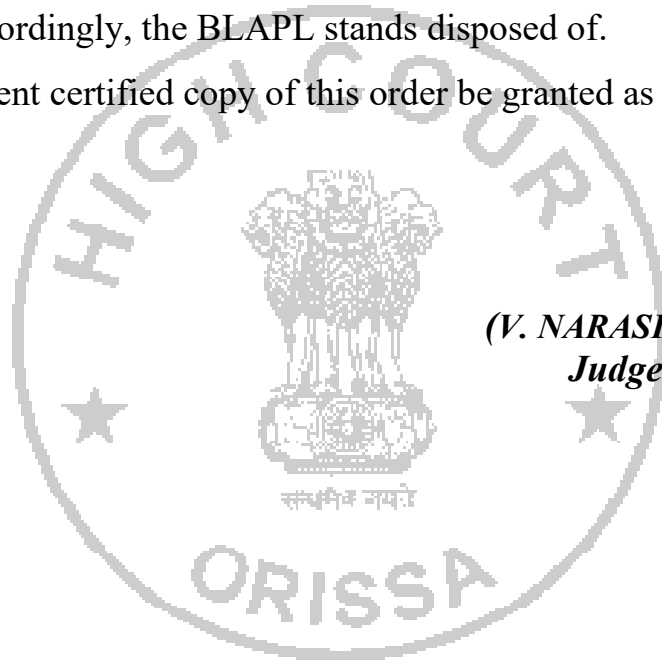
non-commencement of the trial, keeping in view the law laid down by the Apex Court in the case of *Hussainara Khatoon & Ors vs. State of Bihar* reported in *1979 AIR 1369*, this Court directs the petitioners to be released on bail on such terms to be fixed by the learned Court in seisin over the matter.

6. Additionally, it is directed that the petitioner shall furnish two sureties one of whom be a local person and other shall be an immediate family member and the petitioner shall furnish his mobile number.

7. Accordingly, the BLAPL stands disposed of.

8. Urgent certified copy of this order be granted as per rule.

Santoshi



(V. NARASINGH)
Judge