

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 5606 of 2021

Manoj Sahu

....

Petitioner

Mr. A.R. Panda, Advocate

-versus-

State of Odisha

....

Opposite Party

Ms. S. Mishra, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
19.04.2022

Order No.

03.

1. This matter is taken up through hybrid mode.
2. Learned counsel for the petitioner and learned counsel for the State.
3. The petitioner is an accused in Special Special G.R. Case No.23 of 2021, on the files of learned Additional Sessions Judge-cum-Special Judge, Bhanjanagar, arising out of Bhanjanagar P.S. Case No.237 of 2021, under Sections 20(b)(ii)(C) of the NDPS Act and is in custody since 12.06.2021.
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, Bhanjanagar, by order dated 02.07.2021 in the aforementioned case, the present BLAPL has been filed.
5. Learned counsel for the petitioner submits that he is a victim of the circumstances and placing reliance on the order of this Court

dated 30.09.2021 relating to BLAPL No.5546 of 2021 seeks intervention inter alia, on the ground of parity.

6. Learned counsel for the State submits that the petitioner being the rider of the motor cycle, the BLAPL does not merit the consideration of this Court and also seeks rejection of the bail application in view of the bar under Section 37 of the NDPS Act.

7. Considering the submissions made by the respective counsels and taking into account the order of this Court in respect of the co-accused, this Court directs petitioner to be released on bail on such terms to be fixed by the Court in seisin over the matter.

8. The present BLAPL is disposed of accordingly.

9. Urgent certified copy of this order be granted as per rules.

Santoshi

