

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 6547 of 2022

Siba Das

....

Petitioner

Mr. S. Panda, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. P.K. Maharaj, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
15.09.2022

Order No.

02.

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 accused in Baunsuni P.S. Case No.9 of 2022 corresponding to Special Case (NDPS) No.10 of 2022, pending in the Court of the learned Sessions Judge -cum- Special Judge,, Boudh, for the alleged commission of offences under Section 20(b)(ii)(C) of NDPS Act.
4. Being aggrieved by the Rejection of his application for bail U/s.439 Cr.P.C. by the learned Special Judge, Boudh, by order dated 20.05.2022 in the aforementioned case, the present BLAPL has been filed.
5. It is submitted by the learned counsel for the petitioner that he is the driver of the vehicle from which the contraband was seized and since the co-accused have released on bail by order dated 29.07.2022, further continuance of the petitioner in custody is not warranted.

6. Leaned counsel for the State per contra submits that, there are materials on record which unerringly point to the complicity of the petitioner and that plea of innocence does not merit consideration.
7. Taking into account that the charge-sheet has already been filed and the period of custody, this Court directs the petitioner to be released on bail on such terms to be fixed by the Court in seisin over the matter.
8. Accordingly, the BLAPL stands disposed of.
9. Urgent certified copy of this order be granted as per rule.

Ayesha



(V. NARASINGH)
Judge