

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.6850 of 2022

***Sundhansu Sekhar Das @
Munu*** ***Petitioner***

Mr. D.K.Mohapatra, Advocate

-versus-

State of Odisha ***Opposite Party***

Mr. P.K. Maharaj, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
11.11.2022

Order No.

- 04.
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 Special G.R. Case No.113 of 2022 pending on the file of learned Sessions Judge-cum-Special Judge, Sundargarh, arising out of Sundargarh Town P.S. Case No.224 of 2022, for commission of offence under Sections 21(b)/25/29/27(a) of the NDPS Act.
 4. Being aggrieved by the rejection of his application for bail by the learned Special Judge, Sundargarh, by order dated 07.07.2022 in the aforementioned case, the present BLAPL has been filed.
 5. It is submitted by the learned counsel for the Petitioner that allegation is delivery of contraband (brown sugar) to the tune of 39 gm. 500 mg. to the present Petitioner, Krishna Gupta @ Kenia,

Asmin Tara @ Rani and Sonu Mahato. It is submitted that in the meanwhile Sonu Mahato has been released on bail by order dated 01.11.2022 in BLAPL No.9228 of 2022. Hence, on the ground of parity, the Petitioner seeks released on bail.

6. Learned counsel for the State opposes the prayer for bail of the Petitioner.

7. Taking into account that the contraband seized is less than commercial quantity and filing of the charge sheet in the meanwhile and that the Petitioner has no criminal antecedent of similar nature and release of the co-accused, this Court directs the Petitioner to be released on bail on such terms to be fixed by the learned court in seisin over the matter.

8. Learned Court in seisin over the matter shall also verify the criminal antecedents of similar nature. If it comes to the fore that the Petitioner has such criminal antecedent, this order shall stand recalled.

9. Accordingly, the BLAPL stands disposed of.

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

(V. NARASINGH)
Judge

PKS