

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 5980 of 2021

Krishna Biswas

....

Petitioner

Ms. S. Das, Advocate
Ms. S. Dexi, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. D. Mund, AGA

CORAM: JUSTICE V. NARASINGH

ORDER
20.04.2022

Order No.

03.

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 Case (NDPS) No.23 of 2021, on the files of learned Special Judge, Boudh, arising out of Baunsuni P.S. Case No.72 of 2021, under Sections 20(b)(ii)(C) of the NDPS Act, and is in custody since 29.05.2021.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Court of the District Judge-cum-Special Judge, Boudh, by order dated 24.06.2021 in the aforementioned case, the present BLAPL has been filed.

5. Placing reliance on the order passed by this Court dated 06.04.2022 in BLAPL No.8830 of 2021 intervention of this Court is sought inter alia, on the ground of parity.
6. Learned counsel for the State opposes the prayer on the ground to the bar under Section 37 of the NDPS Act the petitioner's bail application is liable to be rejected.
7. Considering the release of the co-accused by this Court as above, it is directed that the petitioner shall be released on bail on such terms to be fixed by the learned Court in seisin over the matter including that; he shall appear before the concerned Police Station once in a week preferably on Sunday in between 10 A.M. to 1 P.M. till conclusion of trial.
8. It is further directed that violation of condition relating to appearance before the concerned Police Station shall entail cancellation of bail by the learned Court in seisin over the matter after following the due procedure of law without reference to this Court.
9. The present BLAPL is disposed of accordingly.
10. Urgent certified copy of this order be granted as per rules.

(V. NARASINGH)
Judge

Santoshi