

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 7007 of 2022

Sk. Rasko

....

Petitioner

Mr. C. Samantaray, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. P.K. Maharaj, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
22.09.2022

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 an accused in Basta P.S. Case No.103 of 2022 corresponding to Special Case No.88 of 2022, pending in the Court of the learned Special Judge, Balasore, for offences under Sections 21(b)/29 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, Balasore, by order dated 18.05.2022 in the aforementioned case, the present BLAPL has been filed.
5. It is submitted by the learned counsel for the petitioner that co-accused has been released on bail by order dated 28.06.2022 in BLAPL No.5376 of 2022, hence seeks release inter alia on the ground of parity.

6. Learned counsel for the State opposes the prayer for bail relying on the Bar contained under Section 37 of the NDPS Act and in view of the criminal antecedent of the petitioner.

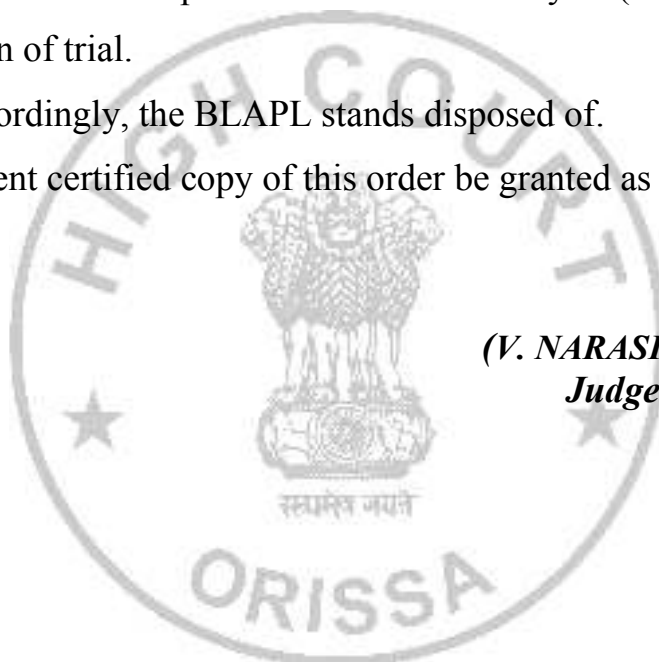
7. Taking into account the release of the co-accused and the antecedent being of the year 2014 and not of similar nature and filing of charge-sheet on 19.06.2022, this Court directs the petitioner to be released on bail on such terms to be fixed by the learned Court in seisin over the matter.

8. Additionally it is directed that the petitioner shall appear before the jurisdictional police station once every 15(fifteen) days till conclusion of trial.

9. Accordingly, the BLAPL stands disposed of.

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

Ayesha



(V. NARASINGH)
Judge