

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 6038 OF 2021

Girish Mandal

**..... *Petitioner*
*Mr. R.L. Pattnaik, Advocate***

-versus-

State of Odisha

**..... *Opposite Party*
*Miss S. Mishra, ASC***

**CORAM:
JUSTICE V. NARASINGH**

**ORDER
13.05.2022**

Order No.

03.

1. This matter is taken up through Hybrid Mode.
2. The petitioner is an accused in T.R Case No. 170 of 2020 on the file of the learned Additional Sessions Judge-cum- Special. Judge, Malkangiri, arising out of Kalimela P.S. Case No. 165 of 2020 alleged for commission of offence under Sections- 20(b)(ii)(c) of the NDPS Act and he is in custody since 13.12.2020.
3. Being aggrieved by the rejection of his application for bail U/Sec. 439 Cr.P.C by the learned Additional Sessions Judge-cum-Special. Judge, Malkangiri by Order dtd. 23.07.2021 in T.R. Case No. 170 of 2020, the present BLAPL has been filed.
4. Heard Mr. R.L. Pattnaik, learned counsel for the petitioner and Miss S. Mishra, learned counsel for the State.

5. Learned counsel for the petitioner relied on the order passed by this Court dtd. 21.04.2022 in BLAPL No.5849 of 2021 and order dtd. 9th of May, 2022 in BLAPL No.2371 of 2021 relating to the co-accused, seeks release of the present petitioner inter alia on the ground of parity.

6. Learned counsel for the State submits that there was supervening circumstance in granting bail to the co-accused and the ground of parity cannot be considered at this stage.

7. Taking into account the release of the co-accused, the quantity of contraband seized and the age of the petitioner, 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.

9. The Bail Application thus stands disposed of.

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

Balaram

*(V.Narasingh)
Judge*