

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 7023 of 2022

Gokul Mahadev Chandurakar

Petitioner

Mr. P.K. Mishra, Advocate

-versus-

State of Odisha

Opposite Party

Mr. Karunakar Gaya, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

12.08.2022

Order No.

01.

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 T.R. Case No.65 of 2022, on the files of Additional Sessions Judge-cum-Special Judge, Gunupur, arising out of Padampur P.S. Case No.59 of 2022, under Sections 20(b)(ii)(C) & 25 of the N.D.P.S. act and is in custody since 19.05.2022.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Additional Sessions Judge-cum-Special Judge, Gunupur, by order dated 31.05.2022 in the aforementioned case, the present BLAPL has been filed.
5. Perused the rejection order.
6. Learned counsel for the petitioner submits that co-accused similarly circumstanced has been released on bail by this Court by

order dated 06.07.2022 in BLAPL No.5617 of 2022. Learned counsel for the petitioner seeks for release on bail inter alia on the ground of parity.

7. Learned counsel for the petitioner opposes the prayer for bail relying on the bar contained under section 37 of the NDPS Act.

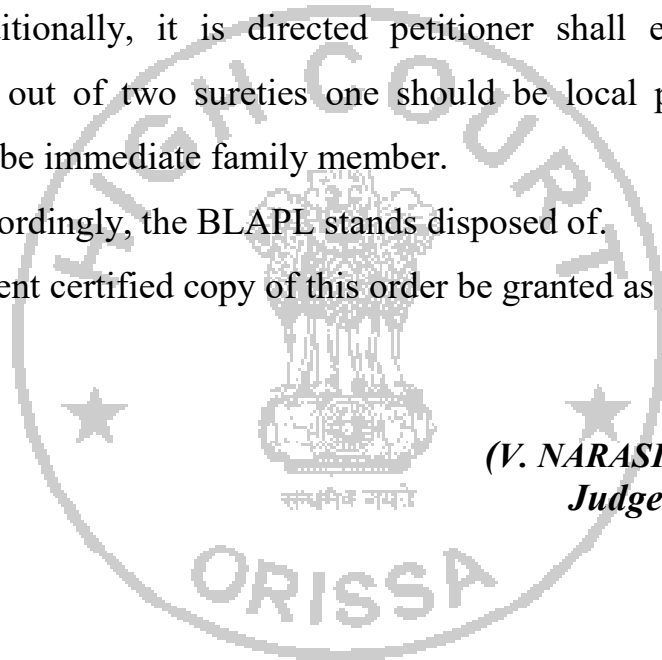
8. Taking into account the release of the co-accused who is prima facie similarly circumstanced and the age of the petitioner, this Court directs the petitioner to be released on bail on such terms to be fixed by the learned Court in seisin over the matter.

9. Additionally, it is directed petitioner shall ensure two sureties that out of two sureties one should be local person and other should be immediate family member.

10. Accordingly, the BLAPL stands disposed of.

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

Santoshi



(V. NARASINGH)
Judge