

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 7217 of 2022

Raghu Bajing

....

Petitioner

Mr. S.K. Rout, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. A. Pradhan, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
26.08.2022

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.50 of 2019, on the files of learned Additional Sessions Judge-cum-Special Judge, Koraput, arising out of Machkund P.S. Case No.89 of 2019, under Sections 20(b)(ii)C/29 of the NDPS Act and is in custody since 09.06.2022.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Additional S.J.-cum-Spl. Judge, Koraput, by order dated 19.07.2022 in the aforementioned case, the present BLAPL has been filed.
5. Learned counsel for the petitioner submits that he is similarly placed with one Shyama Pangi who has been released on bail by order dated 21.07.2020 in BLAPL No.3074 of 2020 in as

much as the allegation against the present petitioner is that he was also loading the contraband and there has been no seizure from him.

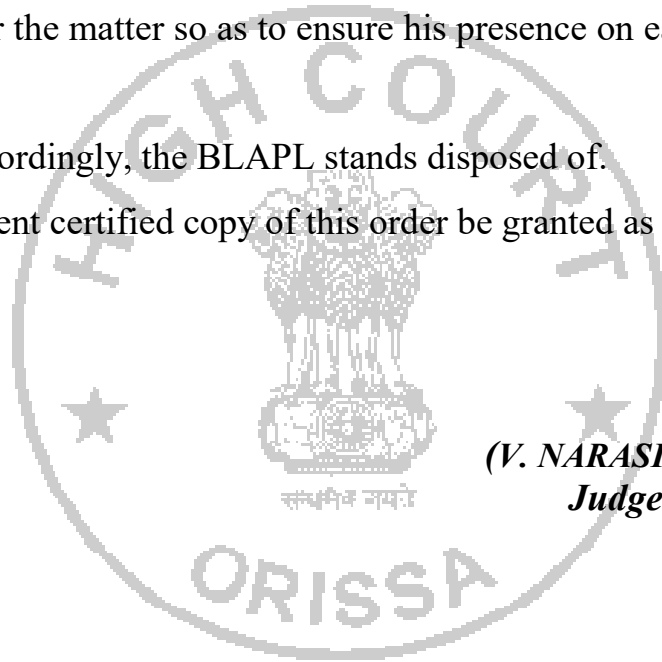
6. Learned counsel for the State opposes the prayer for bail inter alia relying on the bar contend under Section 37 of the NDPS Act while not refuting the role ascribed to the petitioner.

7. Considering the submissions of the learned counsel for the petitioner and since the petitioner is prima facie similarly circumstanced as stated at the Bar, 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 so as to ensure his presence on each date of trial.

8. Accordingly, the BLAPL stands disposed of.

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

Santoshi



(V. NARASINGH)
Judge