

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.6247 of 2021

Mithun Moharana.

....

Petitioner

-versus-

State of Odisha.

....

Opposite Party

CORAM: JUSTICE S.PUJAHARI

ORDER
08.04.2022

Order No.

02.

1. This matter is taken up through Hybrid mode.
2. The petitioner being in custody in G.R. Case No.34 of 2019, arising out of Berhampur GRPS Case No.79 of 2019, pending in the court of the learned 3rd Addl. Sessions Judge-cum-Special Judge, Ganjam, Berhampur, has filed this petition for his release on bail. The offence alleged against him is punishable under Section 20(b)(ii)(C) of the N.D.P.S. Act.
3. Learned counsel for the petitioner submits all the co-accused persons have been released on bail. Therefore, the petitioner be released on bail, more so when the petitioner has already surrendered to the custody of the Court after completion of his period of interim bail granted by this Court vide order dated 24.02.2021 passed in BLAPL No.5169 of 2020.

4. Considering the aforesaid facts and circumstances of this case, though this Court is not inclined to release the petitioner on bail. But, considering the fact that all the co-accused persons have been released on bail and also the fact that the petitioner is the native of State of Orissa being resided at a place within the jurisdiction of the Court in seisin over the matter and he has not misutilized the liberty granted, this Court directs the Court in seisin over the matter to release the petitioner on interim bail for a period of ninety days with the condition that he shall surrender to the custody of the Court concerned on 91st day of his release from custody. However, the Court in seisin over the matter before release of the petitioner from custody must be satisfied about his permanent abode and shall also put such other terms and conditions as he may deem just and proper to ensure his return to custody.

5. With the aforesaid order, this BLAPL stands disposed of.

6. Urgent certified copy of this order be granted on proper application.

(S. Pujahari)
Judge

MRS