

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.7276 of 2022

***Ankul Bagchi @ Anukul
Bagachi***

....

Petitioner

Mr. J.K. Panda, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. K.K. Gaya, ASC

CORAM: JUSTICE V. NARASINGH

**ORDER
28.09.2022**

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 G.R Case No.22 of 2022 pending in the file of learned Sessions Judge-cum-Special Judge, Malkangiri, arising out of Orkel P.S. Case No.19 of 2022 for offences under Sections 20(b)(ii)(C)/25 of the N.D.P.S Act and is in custody 27.01.2022.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Special Judge, Malkangiri by order dated 19.07.2022 in the aforementioned case, the present BLAPL has been filed.
5. Perused the order of rejection.

6. It is submitted by the learned counsel for the Petitioner that the co-accused Gautam Halder has already been released on bail by this Court in BLAPL No.1600 of 2022 by order dated 06.09.2022.

7. Taking into account the manner of implication, filing of the charge sheet, release of the co-accused and keeping in view the law laid down by the apex Court in the case of **Tofan Singh vrs. State of Tamil Nadu**, reported in (2020) 80 OCR (SC) 641, 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 and 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.

(V. NARASINGH)
Judge

PKS

