

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 6400 of 2021

Madhu Khemundu

.... ***Petitioner***
Mr.P.K.Nanda, *Advocate*

-versus-

State of Odisha

.... ***Opposite Party***
Mr.M..K.Mohanty,A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER
28.02.2022

Order No.

3. This matter is taken up through Hybrid Arrangement (Virtual/Physical Mode).
2. This is an application under Section 439 of the Code of Criminal Procedure filed by the Petitioner for bail in connection with Orkel P.S.Case No.151 of 2020, corresponding to T.R.Case No.96 of 2020, pending in the Court of the learned Sessions Judge-cum-Special Judge, Malkangiri for alleged commission of offences under Sections 20(b)(ii)(C)/27-A/29 of the N.D.P.S.Act.
3. Learned counsel for the Petitioner submits that the investigation of the case has been completed and charge sheet has been submitted. It is submitted by the learned counsel for the Petitioner that the petitioner has been entangled in this case on the basis of the statement of the co-accused persons. The Petitioner is in jail custody since 29.11.2020.
4. Learned Additional Standing Counsel vehemently opposes the prayer for bail of the Petitioner on the ground that such type of

offence is increasing day by day in the society.

5 Having heard learned counsel for the parties and considering the nature and gravity of the allegation as well as the custodial detention of the Petitioner, this court is inclined to grant bail to the Petitioner and it is directed that let the Petitioner be released on bail in the aforesaid case on furnishing a bail bond of Rs.50,000/- (Rupees Fifty thousand) with one local solvent surety for the like amount to the satisfaction of the learned court in seisin over the matter subject to the following terms and conditions

- i) he shall appear before the concerned Police Station once in a fortnight preferably on Sunday between 10 A.M. to 1 P.M. till conclusion of trial.
- ii) shall cooperate with the trial of the case and shall appear in court on each and every date to which the case is posted.
- iii) shall not indulge in any offence of similar nature
- iv) shall not tamper with the evidence and to threatened or influence the witnesses.
- v) Violation of any of the terms and conditions shall entail cancellation of bail.

6. It is further directed that the bail granted to the Petitioner is subject to the condition that learned court below shall verify whether the Petitioner has any criminal antecedents of similar nature. In the event it is found that the Petitioner has any criminal antecedents of similar nature, this bail order shall automatically stands revoked.

7. The Bail Application is accordingly disposed of.

8. Issue urgent certified copy of this order as per Rules.