

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.6982 of 2021

Bhaves @ Bhawesh Yadav

....

Petitioner

Mr. Jagannath Kamila, Advocate

-versus-

State of Orissa

....

Opposite Party

Mr. P.C. Das, A.S.C. for State

CORAM:

JUSTICE A.K.MOHAPATRA

ORDER

10.02.2022

Order No.

05. 1. This matter is taken up through Hybrid Arrangement (Virtual/Physical Mode).
2. Heard learned counsel for the Petitioner and learned counsel for the State. Perused the FIR and other relevant documents on record.
3. This is an application under Section 439 Cr.P.C. filed by the Petitioner for bail in connection with Machhakund P.S. Case No.121 of 2020, corresponding to T.R. Case No.88 of 2020, pending in the file of learned Addl. Sessions Judge-cum-Special Judge, Koraput, for commission of alleged offences under Sections 20(b)(ii) (C)/25/29 of N.D.P.S. Act.
4. Learned counsel for the Petitioner submits the Petitioner does not have any Criminal Antecedents of similar nature and he is in custody since 20.12.2020. He further submits that he is no way

connected with the alleged crime. On the basis of confessional statement, he has been implicated in the case. It is submitted that charge-sheet in the case has been submitted. It is submitted that the co-accused person has been released on bail.

5. Learned counsel for the State vehemently objects the prayer for bail of the Petitioner as the crime involved in the case has a bad effect on the society as a whole. It is further submitted that a quantity of 126 Kg 100 gms Ganja was recovered from the Bolero vehicle, in which, the Petitioner stated to be travelling as a passenger. However, he submits that if the Petitioner is released on bail, stringent conditions may be imposed on the accused Petitioner.

6. Having heard learned counsel for the parties and considering the period of detention of the Petitioner and the fact that Petitioner is originally belongs to West Bengal, it is directed that the Petitioner be released on bail on furnishing a bail bond of Rs.50,000/- (Rupees Fifty thousand) with one local surety for the like amount to the satisfaction of the learned court in seisin of the matter subject to conditions that the Petitioner shall not involve himself in any similar nature of offence particularly involving the offence under the NDPS Act, he shall not leave the jurisdiction of this Court without specific permission.

7. Petitioner is also directed to appear before the local police station at an interval of every fifteen days between 11.00 A.M. to 1.00 P.M. on a working day once he comes out of the jail custody. It is further directed that the court in seisin of the matter to verify the criminal antecedents of the Petitioner and impose any additional condition(s), if situation so warrants. This order shall remain valid in

the event the court in seisin of the matter is satisfied that Petitioner has no criminal antecedents.

8. With the above direction, the BLAPL is accordingly allowed.

9. Issue urgent certified copy on proper application.

(A.K. Mohapatra)
Judge

U.K.Sahoo

