

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.8156 of 2022

***Manibhusan @ Gobinda
Mandal***

....

Petitioner

Mr. A.K. Sahoo, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. P.K. Maharaj, ASC

CORAM: JUSTICE V. NARASINGH

**ORDER
29.09.2022**

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 T.R Case No.84 of 2020 pending in the file of learned Sessions Judge-cum-Special Judge, Malkangiri, arising out of Orkel P.S. Case No.142 of 2020 for offences under Sections 20(b)(ii)(C)/25/27-A/29 of the N.D.P.S Act.
 4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Sessions Judge-cum-Special Judge, Malkangiri by order dated 16.08.2022 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 have already been released on bail by this Court in

BLAPL No.6945 of 2020 by order dated 10.03.2021 and BLAPL No.584 of 2021 by order dated 26.08.2021.

7. Taking into account the release of the co-accused, who are prima facie similarly circumstanced, 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.

8. While enlarging the Petitioner on bail the learned court below shall verify the assertion regarding his criminal proclivity. If it comes to the fore that the Petitioner has any criminal antecedent this order shall stand recalled.

9. Accordingly, the BLAPL stands disposed of.

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

(V. NARASINGH)
Judge

PKS

