

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 8239 of 2022

Suresh Chandra Mahalik

Petitioner

Mr. K. Mishra, Advocate

-versus-

State of Odisha

Opposite Party

Mr. P.K. Maharaj, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
24.09.2022

Order No.

02.

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 connection with C.T. Case No.25 of 2021, pending in the Court of learned Sessions Judge - cum- Special Judge, Phulbani, arising out of Phiringia P.S. Case No.34 of 2021, for offences under Sections 20(b)(ii)(C)/25/29 of NDPS Act.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Special Judge, Phulbani, by order dated 30.03.2021 in the aforementioned case, the present BLAPL has been filed.
5. It is submitted that co-accused Gangadhar Barada has been released on bail by this Court by order dated 12.05.2022 in BLAPL No.3057 of 2022. It is submitted that charge-sheet has already been filed on 17.07.2022, further continuance of the petitioner in custody

is unwarranted more so when co-accused has already been released on bail.

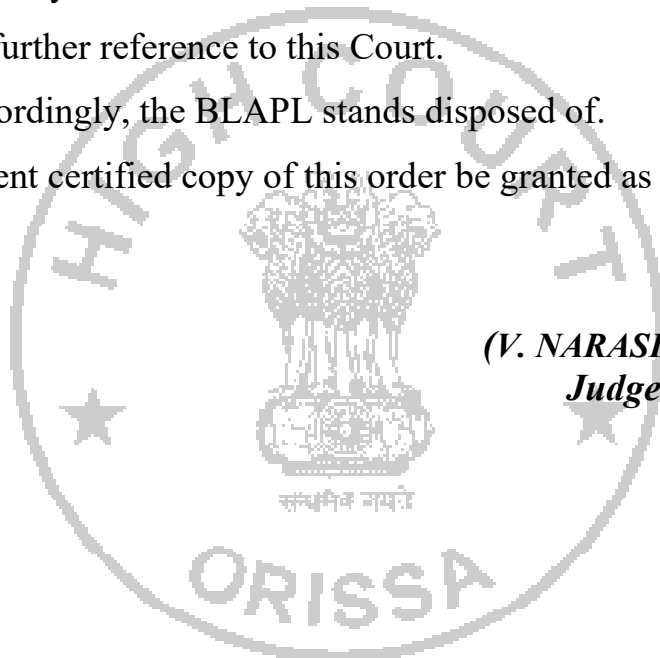
6. Considering the release of the co-accused and filing of the charge-sheet and that the petitioner has no criminal proclivity, this Court directs the petitioner to be released on bail on such terms to be fixed by the learned Court in seisin over the matter.

7. It is submitted that the petitioner has no criminal proclivity, while releasing the petitioner on bail the learned Court below shall verify such assertion. If it comes to the fore that the petitioner has any criminal antecedent this order shall stand recalled without any further reference to this Court.

8. Accordingly, the BLAPL stands disposed of.

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

Ayesha



(V. NARASINGH)
Judge