

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 8243 of 2022

Rasanta Nayak

....

Petitioner

Mr. A. Das, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. K.K. Gaya, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
13.09.2022

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 accused in ADAVA P.S. Case No.107 of 2021 corresponding to G.R Case No.107 of 2021, pending in the Court of the learned Additional Sessions Judge-cum-Special Judge, Parlakhemundi, Gajapati, for alleged commission of offences under Sections 20(b)(ii)(C)/25/29 of the NDPS Act.
4. Being aggrieved by the Rejection of his application for bail U/s.439 Cr.P.C. by the learned Additional Sessions Judge-cum-Special Judge, Parlakhemundi, by order dated 01.08.2022 in the aforementioned case, the present BLAPL has been filed.
5. It is submitted by the learned counsel for the petitioner that co-accused persons were similarly circumstanced, being passengers in the vehicle carrying contraband have since been released on bail by order dated 10.05.2022 in BLAPL Nos.10318 & 10325 of 2021, hence on the ground of parity seeks release.

6. Learned counsel for the State opposes the prayer for bail relying under Section 37 of the NDPS Act.
7. Considering the release of the co-accused, this Court directs the petitioner to be released on bail on such terms to be fixed by the Court in seisin over the matter.
8. Additionally it is directed that the petitioner shall appear before the jurisdictional police station once every week till conclusion of trial.
9. Accordingly, the BLAPL stands disposed of.
10. Urgent certified copy of this order be granted as per rule.

Ayesha

