

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.8357 of 2022

Satyapriya Majhi

....

Petitioner

Mr. Satyabrata Panda, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. A Pradhan, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
27.10.2022

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 Special Case (NDPS) No.30 of 2022 pending in the file of learned Sessions Judge-cum-Special Judge, Boudh, arising out of Boudh P.S. Case No.187 of 2022, for offence under Sections 29(b)(ii)(C)/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 Special Judge, Boudh by order dated 06.08.2022 in the aforementioned case, the present BLAPL has been filed.
5. It is submitted by the learned counsel for the Petitioner that charge sheet has been filed on 30.09.2022 and the co-accused has

already been released on bail by order dated 10.10.2022 in BLAPL No.9321 of 2022. Hence, he seeks release, inter alia, on the ground of parity.

6. Learned counsel for the State opposes the prayer for bail of the Petitioner placing reliance on the bar contained in Section 37 of the N.D.P.S Act.

7. Taking into account the role ascribed to the Petitioner and filing of the charge sheet and his age and bleak possibility of early conclusion of the trial, 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. Additionally, it is directed that the court in seisin over the matter shall ensure his presence before the jurisdictional police station of the learned Court in seisin over the matter 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.

(V. NARASINGH)
Judge

PKS