

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 8402 of 2022

Madhaba Durka @ Duruka

Petitioner

Mr. R.L. Pattnaik, Advocate

-versus-

State of Odisha

Opposite Party

Mr. P.K. Maharaj, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
15.09.2022

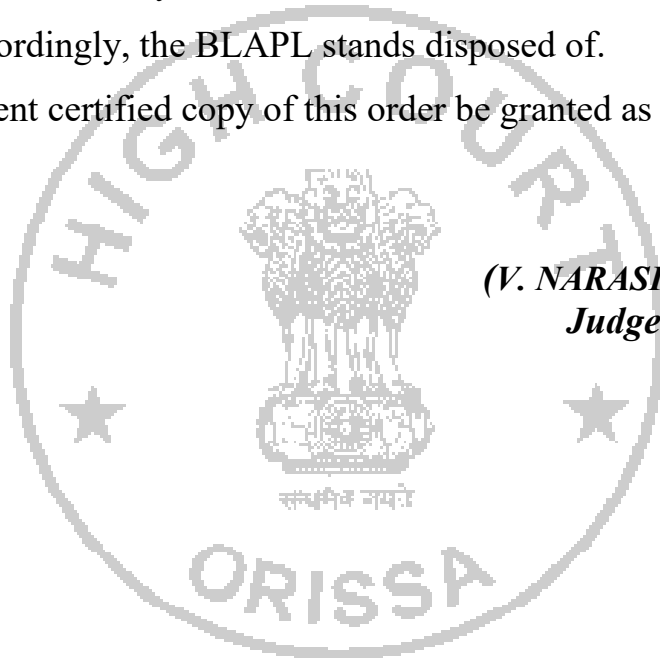
Order No.

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 Orkel P.S. Case No.123 of 2021 dt. 12.07.2021 corresponding to Special G.R. Case No.63 of 2021, pending in the file of the learned Sessions Judge -cum- Special Judge,, Malkangiri, for the alleged commission of offences under Section 20(b)(ii)(C) 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, Malkangiri, by order dated 26.08.2022 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 co-accused similarly placed have been released on bail by this Court by order dated 24.02.2022 in BLAPL No.2831 of 2022.

7. Copy of the order is annexed to the bail application as Annexure-5.
8. Taking into account the release of the co-accused and considering the submission of learned counsel for the petitioner that he is the first offender, this Court directs the petitioner to be released on bail on such terms to be fixed by the Court in seisin over the matter.
9. Keeping in view the criminal proclivity of the petitioner, it is directed that the petitioner shall appear before the jurisdictional police station once every week till conclusion of trial.
10. Accordingly, the BLAPL stands disposed of.
11. Urgent certified copy of this order be granted as per rule.

Ayesha



(V. NARASINGH)
Judge