

**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**BLAPL No.8584 of 2022**

***Lakapati Deep***

....

***Petitioner***

Mr. S. Panda  
Advocate

*-versus-*

***State of Odisha***

....

***Opposite Party***

Mr. M.Mishra  
Addl. Standing Counsel

**CORAM:**

**JUSTICE SASHIKANTA MISHRA**

**ORDER**

**29.9.2022.**

**Order No.**

01. 1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the Petitioner and learned Addl. Standing Counsel for the State.
3. The Petitioner is in custody since 25th July, 2021 in connection with Kantamal P.S. Case No.91/2021 corresponding to Special Case (NDPS) No.36/2021 pending in the court of learned Sessions Judge-cum-Special Judge, Boudh for the alleged commission of the offence under Section 20(b)(ii)(C) of NDPS I.P.C.

4. This is the second journey of the Petitioner after rejection of his earlier application by this Court in BLAPL No.10882/2021. In the mean time, trial has commenced during which both identifying and seizure witnesses have been examined, out of whom the independent witness namely, Premananda Nag has been examined as P.W.1. He has not supported the case of the prosecution.

5. Taking into consideration all the above facts and the period of detention in custody, I am inclined to allow the prayer for bail. Let the Petitioner be released on bail on such terms and conditions as may be imposed by the court in seisin over the matter in the aforesaid case including the condition that he shall personally appear before the court below on each date of posting of the case without fail and in case of even a single default, necessary orders shall be passed by the court to take him to custody again. Further he shall appear before the I.I.C. of Kantamal P.S. on every Sunday at 10 A.M. till conclusion of trial and such fact shall be certified by the I.I.C. to the concerned Court once in a month.

6. The BLAPL is disposed of.

7. Urgent certified copy of this order be granted on proper application.

*AKB*

***(Sashikanta Mishra)***  
***Judge***

