

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.7620 of 2021

Azharuddin Khan

.... ***Petitioner***
Mr. P.K. Das, Advocate

-versus-

State of Odisha

.... ***Opp. Party***
Mr. P.C. Das, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

03.01.2022

Order No.

- 04.
1. This matter is taken up through Hybrid Arrangement (Video Conferencing/Physical Mode).
 2. Heard Mr. P.K. Das, learned counsel for the Petitioner and Mr. P.C. Das, learned counsel for the State.
 3. This is an application under Section 439 Cr.P.C. filed by the Petitioner for bail in connection with Puruna Bazar P.S. Case No.267 of 2021 corresponding to Special (N.D.P.S.) Case No.100 of 2021 pending in the court of learned Special Judge, Bhadrak facing trial for commission of offence punishable under Section 21(c) of the N.D.P.S. Act.
 4. It is submitted on behalf of the Petitioner that the Petitioner is in custody since 05.08.2021 and he further submitted that one co-accused, namely, Sadav Quadri @ Munna on similar footing with the present has already been released bail by this Court in BLAPL

No.7920 of 2021 vide order dated 10.12.2021 and there is no criminal antecedent against the Petitioner on similar nature of offence. Therefore, the bail application of the Petitioner may be considered.

5. Having heard learned counsel for the parties and on perusal of the case record, I am inclined to release the Petitioner on bail, it is directed that let the Petitioner be released on bail on such terms and conditions as deemed just and proper by the court in seisin over the matter in the aforesaid case.

6. However, it is made clear that learned court below while fixing terms and condition shall also verify the criminal antecedents. In the event it is found that the Petitioner has any criminal antecedents, bail order shall automatically be revoked. Other terms and conditions shall be fixed by the court in seisin over the matter.

7. The Bail Application is accordingly disposed of.

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

(A.K. Mohapatra)
Judge