

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.7672 of 2021

Sk.Julfikar

..... Petitioner
Mr.Devashis Panda, Advocate

-versus-

State of Odisha

..... Opposite Party
Mr. M.K.Mohanty, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

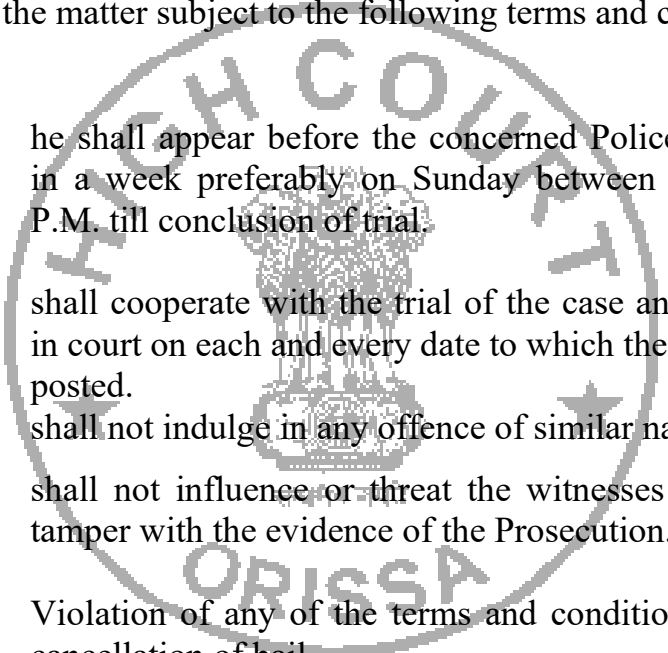
ORDER
21.02.2022

Order No.

- 04.
1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
 2. Heard learned counsel for the Petitioner as well as the learned Additional Standing Counsel for the State.
 3. This is an application under Section 439 of the Criminal Procedure Code filed by the Petitioner to release him on regular bail in connection with T.R.No.53 of 2021 pending in the Court of the learned Special Judge-cum-Sessions Judge, Puri, which arises out of Spl.G.R.Case No.24 of 2021 corresponding to P.R.No.50 of 2021 of O.I.C., Pipli Excise Station Puri for commission of an alleged offence under Sections 21(b)(ii)(c) of N.D.P.S.Act..
 4. Learned counsel for the Petitioner submits that from the date of arrest he is in jail custody i.e. on 25.02.2021 and the investigation has already completed. He therefore prays for grant of bail to the Petitioner on some terms and condition as deemed fit and proper.
 5. Learned counsel for the State on the other hand vehemently opposes for grant of bail to the Petitioner on bail as the nature of

allegations are serious particularly in view of the fact that such type of cases are rising every day.

6. Having heard learned counsel for the parties and considering the nature and gravity of the allegation as well as the custodial detention of the Petitioner and further upon consideration of the fact that there is no criminal antecedents of similar nature against the petitioner, this court is inclined to grant bail to the Petitioner and it is directed that let the Petitioner be released on bail in the aforesaid case on furnishing a bail bond of Rs.50,000/- (Rupees Fifty thousand) with one local solvent surety for the like amount to the satisfaction of the learned court in seisin over the matter subject to the following terms and conditions:

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- i) he shall appear before the concerned Police Station once in a week preferably on Sunday between 10 A.M. to 1 P.M. till conclusion of trial.
 - ii) shall cooperate with the trial of the case and shall appear in court on each and every date to which the case is posted.
 - iii) shall not indulge in any offence of similar nature
 - iv) shall not influence or threaten the witnesses and shall not tamper with the evidence of the Prosecution.
 - v) Violation of any of the terms and conditions shall entail cancellation of bail.

7. It is open for the Court in seisin over the matter to fix any other conditions which may be deemed fit and proper in the facts and circumstances of the present case.

8. It is further directed that the bail granted to the Petitioner is subject to the condition that learned court below shall verify whether the Petitioner has any criminal antecedents of similar nature. In the event it is found that the Petitioner has any such criminal antecedents of similar nature, this bail order shall automatically stands revoked.

9. The Bail Application is accordingly disposed of.
10. Urgent certified copy of this order be granted on proper application.

RKS

(A.K. Mohapatra)
Judge

