

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 8834 of 2022

Sachinruna Rao Thete

....

Petitioner

Mr. P. Panigrahi, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. A. Pradhan, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
23.09.2022

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 an accused in T.R. Case No.57 of 2022, pending in the Court of learned Additional Sessions Judge cum Special Judge, Koraput, arising out of Jeypore/Koraput GR P.S. Case No.11 of 2022, for offences under Section 20(b)(ii)(C) of the NDPS Act.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Additional Sessions Judge cum Special Judge, Koraput, by order dated 03.08.2022 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 the co-accused has been released on bail by this Court by order dated 02.09.2022 in BLAPL No.7866 of 2022, hence he seeks release inter alia on the ground of parity.

7. It is also stated by the learned counsel for the State that since the petitioner is from outside State, the same should weigh with the Court while considering the bail, since it would be difficult to ensure his presence during trial.

8. Taking into account the quantity of contraband seized and the manner of such seizure and that charge-sheet has already been filed in the meanwhile, 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.

9. Additionally it is directed that one of the sureties shall be immediate family member of the petitioner and other surety shall be a local person.

10. It is further directed that the petitioner shall appear before the jurisdictional police station of the Court in seisin over the matter once every month till the conclusion of trial. It shall be open to the learned Court in seisin over the matter to impose further conditions so as to ensure the presence of the petitioner on each date of trial.

11. Accordingly, the BLAPL stands disposed of.

12. Urgent certified copy of this order be granted as per rule.

(V. NARASINGH)
Judge

Ayesha