

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 7819 of 2021

Rinku Yadav

.... Petitioner
Mr. Manas Chand, Advocate

-versus-

State of Odisha

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

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

23.02.2022

Order No.

4. This matter is taken up through Hybrid Arrangement (Virtual/Physical Mode).
2. This is an application under Section 439 of the Code of Criminal Procedure filed by the Petitioner for bail in connection with Kosagumunda P.S. Case No. 98 of 2021, corresponding to T.R. Case No. 38 of 2021, pending in the Court of the learned Sessions Judge-cum-Special Judge, Nabarangpur for alleged commission of offences under Sections 20(b)(ii)(C)/29 of the N.D.P.S. Act.
3. Learned counsel for the Petitioner submits that the Petitioner has been languishing in jail custody from the date of his arrest i.e. on 11.06.2021 and the investigation of the case has substantially progressed. He also submits that nothing has been seized from the conscious possession of the Petitioner.
4. Learned Additional Standing Counsel vehemently opposes the prayer for bail of the Petitioner on the ground that such type of offence is increasing day by day in the society.
5. 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 co-accused persons have been released on bail by this Court in BLAPL Nos.7337 & 7433 of 2021, 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

- i) he shall appear before the concerned Police Station once in a fortnight 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 leave the jurisdiction of the trial court with specific permission of the trial court till conclusion of the trial.
- v) Violation of any of the terms and conditions shall entail cancellation of bail.

6. 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 criminal antecedents of similar nature, this bail order shall automatically stands revoked.

7. The Bail Application is accordingly disposed of.

8. Issue urgent certified copy of this order as per Rules.