

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 8863 of 2022

Rakesh Naik

....

Petitioner

Mr. A.K. Mishra 3, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. P.K. Maharaj, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
24.09.2022

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 connection with Bargarh in CT (SPL) Case No.37 of 2022 pending in the file of learned Sessions Judge, Bargarh, arising out of Barpali P.S. Case No.185 of 2022, for offences under Sections 21(b)/25/29 of 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, Bargarh, by order dated 06.09.2022 in the aforementioned case, the present BLAPL has been filed.
5. It is submitted by the learned counsel for the petitioner that co-accused persons have been released on bail by this Court by order dated 17.08.2022 in BLAPL No.7153 of 2022 and by order dated 23.08.2022 in BLAPL No.7291 of 2022, hence prays for release inter alia on the ground of parity and also on account of filing of charge-sheet on 08.08.2022.

6. Learned counsel for the State opposes the prayer for bail inter alia on the ground that because of the criminal antecedent, the petitioner ought not to be released on bail.

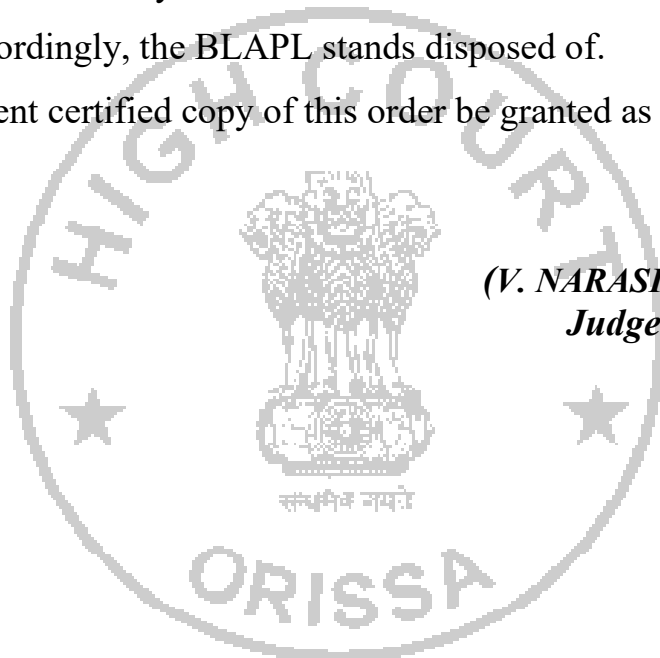
7. On a conspectus materials on record, since the case at hand the contraband seized is less than the commercial quantity, this Court directs the petitioner to be released on bail on such terms to be fixed by the learned Court in seisin over the matter.

8. Keeping in view the criminal proclivity of the petitioner, it is directed that the petitioner shall appear before the jurisdictional police station once every week till conclusion of trial.

9. Accordingly, the BLAPL stands disposed of.

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

Ayesha



(V. NARASINGH)
Judge