

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.8868 of 2022

***Pramod Kumar Sahoo @
Kanhua***

Petitioner

Mr. P.K. Satapathy, Advocate

-versus-

State of Odisha

Opposite Party

Mr. P.K. Maharaj, ASC

CORAM: JUSTICE V. NARASINGH

**ORDER
09.11.2022**

Order No.

- 02.
1. This matter is taken up through hybrid mode.
 2. Heard learned counsel for the Petitioner and the learned counsel for the State.
 3. The Petitioner is an accused in connection with Special G.R Case No.90 of 2022, pending on the file of the learned Sessions Judge-cum-Special Judge, Nayagarh, arising out of Daspalla P.S. Case No.152 of 2022 for commission of the alleged offence under Sections 20(b)(ii)(C)/29 of the N.D.P.S. Act and Section 25 of the Arms Act and is in custody since 21.07.2022.
 4. Being aggrieved by the rejection of his application for bail U/s. 439 Cr.P.C. by the learned Sessions Judge-cum-Special Judge, Nayagarh by order dated 29.08.2022, the present BLAPL has been filed.

5. It is submitted by the learned counsel for the Petitioner that the co-accused as similarly placed has since been released on bail by order dated 21.09.2022 in BLAPL No.8614 of 2022.
6. Learned counsel for the State opposes the prayer for bail of the Petitioner, inter alia, on the ground that the Petitioner has criminal proclivity inasmuch as he is an accused in Daspalla P.S. Case No.179 of 2020 (S.T. Case No.50/148 of 2021 on the file of learned Asst. Sessions Judge-cum-C.J.M., Nayagarh).
7. Learned counsel for the Petitioner submits that in the said case, the Petitioner has been released on bail by order dated 23.02.2021, which is taken on record.
8. Taking into account the role ascribed to the Petitioner and keeping in view the substantial progress in the investigation and the release of the co-accused, 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. Keeping in view the criminal antecedent of the Petitioner, though of not similar nature, additionally it is directed that the Petitioner shall appear before the jurisdictional Police Station of the learned Court in seisin over the matter once every week till submission of final form. The date and time to be fixed by the learned Court in seisin over the matter. Certification of such appearance shall be submitted to the learned Court in seisin over the matter.
10. Accordingly, the BLAPL stands disposed of.
11. Urgent certified copy of this order be granted as per rule.

(V. NARASINGH)
Judge

PKS