

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.8249 of 2021

Chandra Behera

.... ***Petitioner***
Mr. T.K. Mishra, *Advocate*

-versus-

State of Odisha

.... ***Opp. Party***
Mr. K.K. Nayak, *A.S.C.*

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

07.01.2022

Order No.

03.

1. This matter is taken up through Hybrid Arrangement (Video Conferencing/Physical Mode).

2. Learned counsel for the Petitioner submits that in the present bail application the name of the accused Petitioner inadvertently typed as “Chandra Behera” instead of “Chandan Behera”.

3. It is submitted that the name of the accused Petitioner actually Chandan Behera. The Vakalatnama executed by accused Petitioner is attested by the Sub-Assistant Jailor, Special Sub-Jail, Boudh, wherein the name of the Petitioner is shown as Chandan Behera.

Learned counsel for the Petitioner is permitted to make necessary correction in the cause title of the bail application, so far as name of the Petitioner is concerned in Court today.

4. Heard Mr. T.K. Mishra, learned counsel for the Petitioner and Mr. K.K. Nayak, learned counsel for the State.

5. This is an application under Section 439 of the Criminal Procedure Code.

6. The Petitioner is an accused in P.R. No.16/2021-22 corresponding to 2(a) C.C.(NDPS) No.12 of 2021 pending in the court of learned Sessions Judge-cum-Special Judge, Boudh facing trial for

the offence punishable under Section 20(b)(ii)(C) of the N.D.P.S. Act.

7. Perused the F.I.R. as well as rejection order.

8. It is submitted on behalf of the Petitioner that some of the co-accused persons, who are in similar footing with the present Petitioner, have already been released on bail by this Court and the Petitioner is in custody since August, 2021.

9. Learned counsel for the State vehemently opposes the prayer for bail of the Petitioner.

10. Having heard learned counsel for the parties and considering the period of detention of the Petitioner and the co-accused persons have already been released on bail, it is directed that let the Petitioner be released on bail on furnishing a bail bond of Rs.50,000/- (rupees fifty thousand) with one solvent surety for the like amount to satisfaction of the learned court in seisin over the matter subject to conditions that the Petitioner shall not be involved in any offence of similar nature and he shall appear before the concerned Police Station once in a week preferably on 'Sunday' in between 10.00 A.M. to 1.00 P.M. for a period of one month from the date of release.

11. It is open for the court in seisin over the matter to impose such other conditions as may deem just and proper.

The Bail Application is accordingly disposed of.

Urgent certified copy of this order be granted on proper application.