

**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**BLAPL No.9783 of 2022**

***Rohit Mitra***

....

***Petitioner***

Mr. B.B. Routray, Advocate

*-versus-*

***State of Odisha***

....

***Opposite Party***

Mr. K.K. Gaya, ASC

**CORAM: JUSTICE V. NARASINGH**

**ORDER**  
**26.10.2022**

**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 C.T (Spl.) Case No.21 of 2021 pending in the file of learned Sessions Judge-cum-Special Judge, Bargarh, arising out of P.R. No.28 of 2021-22 of Excise Station, Bargarh, for commission of the alleged offence under Section 21(b) of the N.D.P.S. Act and is in custody since 17.05.2021.
4.        Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Sessions Judge, Bargarh by order dated 30.04.2022 in the aforementioned case, the present BLAPL has been filed.
5.        Perused the order of rejection.

6. Taking into account the release of the co-accused by order dated 25.01.2022 in BLAPL No.4642 of 2021, 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.

7. While enlarging the Petitioner on bail the learned court below shall verify the assertion regarding his criminal proclivity. If it comes to the fore that the Petitioner has any criminal antecedent of similar nature, this order shall stand recalled.

8. Accordingly, the BLAPL stands disposed of.

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

*(V. NARASINGH)*  
*Judge*

*PKS*

