

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.10081 of 2022

Jayram Nahare

....

Petitioner

Mr. N.C. Mohanty, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. P.K. Maharaj, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

04.11.2022

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 Special G.R. Case No.30 of 2022 pending on the file of the learned Special Judge-cum-Addl. Sessions Judge, Titlagarh arising out of Titlagarh GRPS P.S. Case No.22 of 2022 for commission of the offence under Section 20(b)(II)B of the N.D.P.S Act and is in custody since 13.06.2022.
4. It is submitted by the learned counsel for the Petitioner that the co-accused-Ambika Sahu has been released on bail by order dated 15.09.2022 in BLAPL No.6447 of 2022.
5. It is borne out from the record that by order dated 15.09.2022, this Court rejected the bail application of the present Petitioner giving liberty to renew his prayer post charge sheet.

6. Learned A.S.J.-cum-Special Judge, Titilagarh by order dated 10.10.2022 having rejected the application post charge sheet, the Petitioner has filed this BLAPL.

7. Considering that the contraband (Ganja) 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. To allay the legitimate concern expressed by the learned Public Prosecutor that since the Petitioner does not reside within the territorial jurisdiction of this Court, his presence cannot be ensured during trial, learned Court in seisin is called upon to fix the suitable terms so as to ensure his presence on each date of trial, if possible by directing for a local surety.

9. The BLAPL thus stands disposed of.

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

(V. NARASINGH)
Judge

PKS